

# THE HORSE PROTECTION ACT

---

## HEARING BEFORE THE COMMITTEE ON AGRICULTURE HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

ON

**H.R. 503**

JULY 27, 2006

**Serial No. 109-36**



Printed for the use of the Committee on Agriculture  
*[www.agriculture.house.gov](http://www.agriculture.house.gov)*

U.S. GOVERNMENT PRINTING OFFICE

29-577 PDF

WASHINGTON : 2006

---

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Internet: [bookstore.gpo.gov](http://bookstore.gpo.gov) Phone: toll free (866) 512-1800; DC area (202) 512-1800  
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

## COMMITTEE ON AGRICULTURE

BOB GOODLATTE, Virginia, *Chairman*

RICHARD W. POMBO, California,  
*Vice Chairman*

TERRY EVERETT, Alabama  
FRANK D. LUCAS, Oklahoma  
JERRY MORAN, Kansas  
WILLIAM L. JENKINS, Tennessee  
GIL GUTKNECHT, Minnesota  
ROBIN HAYES, North Carolina  
TIMOTHY V. JOHNSON, Illinois  
TOM OSBORNE, Nebraska  
MIKE PENCE, Indiana  
SAM GRAVES, Missouri  
JO BONNER, Alabama  
MIKE ROGERS, Alabama  
STEVE KING, Iowa  
MARILYN N. MUSGRAVE, Colorado  
RANDY NEUGEBAUER, Texas  
CHARLES W. BOUSTANY, JR., Louisiana  
JOHN J.H. "JOE" SCHWARZ, Michigan  
JOHN R. "RANDY" KUHL, JR., New York  
VIRGINIA FOXX, North Carolina  
K. MICHAEL CONAWAY, Texas  
JEFF FORTENBERRY, Nebraska  
JEAN SCHMIDT, Ohio  
MICHAEL E. SODREL, Indiana

COLLIN C. PETERSON, Minnesota,  
*Ranking Minority Member*

TIM HOLDEN, Pennsylvania  
MIKE MCINTYRE, North Carolina  
BOB ETHERIDGE, North Carolina  
JOE BACA, California  
ED CASE, Hawaii  
DENNIS A. CARDOZA, California  
DAVID SCOTT, Georgia  
JIM MARSHALL, Georgia  
STEPHANIE HERSETH, South Dakota  
G.K. BUTTERFIELD, North Carolina  
HENRY CUELLAR, Texas  
CHARLIE MELANCON, Louisiana  
JIM COSTA, California  
JOHN T. SALAZAR, Colorado  
JOHN BARROW, Georgia  
EARL POMEROY, North Dakota  
LEONARD L. BOSWELL, Iowa  
RICK LARSEN, Washington  
LINCOLN DAVIS, Tennessee  
BEN CHANDLER, Kentucky

---

## PROFESSIONAL STAFF

WILLIAM E. O'CONNER, JR., *Staff Director*  
KEVIN J. KRAMP, *Chief Counsel*  
JOHN HAUGEN, *Communications Director*  
ROBERT L. LAREW, *Minority Staff Director*

## CONTENTS

---

	Page
H.R. 503, To amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes. ....	6
Cuellar, Hon. Henry, a Representative in Congress from the State of Texas, prepared statement .....	11
Goodlatte, Hon. Bob, a Representative in Congress from the Commonwealth of Virginia, opening statement .....	1
Hayes, Hon. Robin, a Representative in Congress from the State of North Carolina, opening statement .....	11
Peterson, Hon. Collin C., a Representative in Congress from the State of Minnesota, opening statement .....	3
WITNESSES	
Beaver, Bonnie V., D.V.M., past president, American Veterinary Medical Association, College Station, TX .....	16
Prepared statement .....	44
Bowman, Frank S., president, Horsemens Council of Illinois, Pleasant Plains, IL .....	20
Prepared statement .....	51
Lenz, Thomas R., D.V.M., past president and chairman of the Equine Welfare Committee, American Association of Equine Practitioners, Louisburg, KS ....	14
Prepared statement .....	42
Pate, Tammy, member, American Quarter Horse Association, horse owner and trainer, Helena, MT .....	17
Prepared statement .....	41
Ramsey, Paxton, Young Cattlemens Committee chairman and Agriculture Policy Committee member, National Cattlemens Beef Association, Devers, TX .....	21
Prepared statement .....	48
Sherwood, Hon. Don, a Representative in Congress from the Commonwealth of Pennsylvania .....	12
Stenholm, Hon. Charles W., senior policy advisor, Olsson, Frank, and Weeda, P.C. ....	23
Prepared statement .....	46

# THE HORSE PROTECTION ACT

THURSDAY, JULY 27, 2006

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
*Washington, DC.*

The committee met, pursuant to call, at 9:30 a.m., in room 1301 of the Longworth House Office Building, Hon. Bob Goodlatte (chairman of the committee) presiding.

Members present: Representatives Pombo, Lucas, Moran, Jenkins, Gutknecht, Hayes, Johnson, Osborne, Pence, Graves, Bonner, King, Musgrave, Neugebauer, Boustany, Schwarz, Conaway, Sodrel, Peterson, Holden, McIntyre, Etheridge, Baca, Cardoza, Marshall, Herseth, Butterfield, Cuellar, Melancon, Costa, Salazar, Barrow, Boswell, Larsen, Davis, and Chandler.

Staff present: William E. O'Conner, Jr., Pete Thomson, John Goldberg, Kevin Kramp, Bryan Dierlam, Tobin Ellison, William B. Farris, Pamilyn Miller, Elizabeth Parker, Callista Gingrich, clerk; Jamie Weyer, Andy Baker, Christy Birdsong, and Chandler Goule.

## **OPENING STATEMENT OF HON. BOB GOODLATTE, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF VIRGINIA**

The CHAIRMAN. Good morning. This hearing of the House Committee on Agriculture to review H.R. 503, a bill to amend the Horse Protection Act, will come to order.

The hearing today is to discuss H.R. 503 for the purpose of reviewing legislation under the Committee on Agriculture's jurisdiction, and to bring some sense to the discussion about banning horse owners from making decisions for themselves. This is an important topic, not only to horse owners and taxpayers. It also has far-reaching implications for the entire animal agriculture community.

This bill is part of a larger agenda for the animal rights activists, an agenda against all of agriculture. The proponents of H.R. 503 are not engaged in a public policy discussion; they are engaged in a public relations campaign. They have the bumper stickers, the celebrities and the sound bites. They do not have the fact. As chairman of the House Agriculture Committee, and as members of the Agriculture Committee, we all have the duty to be guided by sound fact and reason in order to responsibly represent our farmers, ranchers, agribusinesses and horse owners.

We are very pleased to have Congressman Don Sherwood testifying as an avid Belgian draft horse owner, and former Congressman Charlie Stenholm's presence here today reminds all of us that our responsibility to agriculture extends beyond our service here in

Congress. Our other panelists represent horse owners, veterinarians, and those who would be on the front lines, dealing with the real world problems this legislation would create.

More than 235 reputable horse organizations, animal health organizations, and agricultural organizations have joined together in opposition of this legislation. As evidenced by our panels of witnesses today, they represent some of the most respected people who own and care for horses in the United States.

The panelists and I, and the members of this committee, are concerned that if enacted, this bill would negatively impact the health and welfare of horses across the country. H.R. 503 does not address the underlying issue of unwanted horses in the U.S. It contributes to the problem.

As a public policy matter, this issue should be about what is the best approach for the humane treatment of horses. Right now, the only federally regulated transportation and euthanasia of horses are the programs that this bill seeks to abolish. Ironically, Government supervision of humane treatment of horses would be the first casualty of H.R. 503.

If the true purpose of this legislation was to provide for humane treatment of horses, as the proponents say, then the bill would address the issue of the fate of hundreds of thousands of these animals affected. If the bill were enacted as written, within the first 6 years there would be an estimated 272,000 additional unwanted horses. There are not enough rescue retirement facilities available to take care of the current numbers of unwanted horses. A conservative estimate of the cumulative maintenance cost for those horses is at least \$3 to \$4 billion.

Dr. Ernie Davis, director of the Center for Equine Business Studies At Texas A&M, estimated with a 20 percent annual normal death rate—10 percent is probably more likely—and not taking into account the average annual birth rate, within 6 years of a slaughter ban we would have 272,000 additional horses. A conservative estimate of the cumulative maintenance costs over 6 years for horses who otherwise would be slaughtered is at least \$3 to \$4 billion.

Since the proponents say they would prefer that unwanted horses are euthanized instead of being processed into a useful product, what about disposal of the potentially tens of thousands of extra carcasses per year? All States regulate the disposal of animal carcasses. Local governments already grapple with the problem of unwanted dogs and cats and their disposal. Horses are on average 50 times larger animals. There will be tremendous difficulty for many local Governments to properly dispose of carcasses of euthanized horses. It will be expensive and will create environmental and wildlife concerns.

In the interest of time, I will not fully outline all of my many concerns with this bill. But some questions this committee should consider include: What do we do to solve the problem of unwanted horses in America? What are the rights of individuals to decide what to do with their animals? What are the implications for other livestock sectors if we ban humane slaughter for one species? Why would the Federal Government put a legitimate business, and in effect thousands of people, out of work? What will happen to the

thousands of horses that are shipped to slaughter plants in other countries outside the humane regulation? Make no mistake about it, this bill will not stop the export of U.S. horses to other countries for slaughter.

Since the bill provides no mechanism to ensure horses are not abandoned by owners, who will deal with the abandoned, starving horses whose owners lack the ability to care for them? How do the States and counties that have a statutory obligation to deal with unwanted animals cope with the abandoned horses that will be left on their doorstep as a result of this bill?

Of the horses that go to sanctuaries, who is going to ensure that there is enough space, money, and expertise to properly care for hundreds of thousands of animals that can easily live to 30 years of age? Who is going to pay for that? Who is going to regulate them?

Which leads me to the overarching question: Why is Congress rushing to enact legislation that causes many problems and solves none, especially when there is no consensus in the livestock community? Even if the goal of this legislation was desirable, and I do not accept that premise, this is not a bill that will improve the treatment of horses. Too little has been done to deal with the consequences of destroying a legitimate industry by Government fiat. If anything, H.R. 503 in its current form will lead to more suffering for the horses it purports to help.

This draconian legislation will have far-reaching and significant detrimental effects for both horses, horse owners and the larger agriculture sector. As chairman of the House Agriculture Committee, and as members of the House Agriculture Committee, it is our responsibility and privilege to thoroughly review and explore all legislation and Federal policies that affect the agriculture community. This legislation is woefully inadequate, emotionally misguided, and fails to serve the best interest of the American horse, and horse owner, despite what the proponents would have you to believe. That is why every major horse owner organization in the county that has taken a stand on this issue has taken a strong stand against H.R. 503.

I would like to thank all of our witnesses for their tremendous effort to be here today on such short notice. It proves your passion and dedication to this issue. I would also thank all of the organizations who have and will continue to work tirelessly to let Congress know of their strong opposition to H.R. 503. As you can tell, I am also committed to protecting our Nation's horses, horse owners and all of agriculture.

At this time, it is my pleasure to recognize the ranking member of the committee, the gentleman from Minnesota, Mr. Peterson.

**OPENING STATEMENT OF HON. COLLIN C. PETERSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MINNESOTA**

Mr. PETERSON. Thank you, Mr. Chairman. Thank you for calling this hearing. I would also like to welcome the witnesses and thank them for coming here today to share their views with us.

Horse processing has been a volatile issue, as we well know here on the Agriculture Committee. Coming from rural areas, we are fa-

miliar with the many roles horses play, whether it is sports like racing or rodeo, or working on our farms and ranches. But inevitably, there comes a time when these horses are no longer useful, or wanted. And when that happens, processing plants ensure that the horses are handled in a humane way, under the guidelines of the Animal Welfare Act and the Humane Slaughter Act.

Horse care and livestock organizations, including the American Veterinary Medical Association, the American Association of Equine Practitioners, and many others all oppose a ban on the humane slaughter of horses, and I stand with them.

The problem with this bill is that it is based strictly on emotion. In truth, it ignores the animal welfare and economic benefits that a properly run processing industry provides, which is the real issue. A processing ban would either increase the number of horses sent to public animal rescue and retirement facilities, or force owners to keep those animals. But actually, in my area, where we are quite a ways from the closest processing in Illinois, we already have a problem of people taking horses out in the country and letting them go. And this bill will exacerbate that problem.

Neither result is, in my opinion, logical or economically sound. In the first instance, the ban would stretch the thin resources of rescue facilities as they struggle to provide adequate care to a dramatically greater number of horses, and this bill does not provide any money to help facilities cover the additional costs of care for rescued horses, which could amount to tens of millions of dollars.

In the second scenario, the cost of caring for unwanted horses, would place an undue burden on the owners. And I think we all know that significant horse maintenance averages about \$2,300 per year, an expense that many owners just can't sustain, and hence we have had these kind of problems that we are already seeing in Minnesota. With economic pressures from natural disasters, and even the increased price of gasoline, it is easy to see how some low and middle income owners may have to choose between paying the bills or maintaining the basic quality of life for these aging horses.

Processing provides a cost-effective alternative to neglect and abandonment when horse owners are unable to find another buyer. In 2005 alone it saved owners and rescue facilities an estimated \$220 million in total costs of caring for unwanted horses. The same study by the Animal Welfare Council estimated that the cumulative annual maintenance cost of otherwise processed horses since the year 2000 would have exceeded more than \$513 million in 2005.

This is a heavy burden indeed. But that study assumes that owners will continue to provide quality care for these animals. The real question of animal welfare lies in what will happen if the processing ban is imposed. These unwanted horses are often sick, unfit or problem animals that are simply that, unwanted. Many of them are already living in pain and discomfort. Tens of thousands more would be neglected or abandoned if their owners are not provided with this alternative end of life option.

At the end of the day, this debate is about defining what is humane when we are dealing with unwanted horses. Are we going to continue to provide horse owners with a humane end of life option for their horses, or are we going to sentence these animals to live

out their days in suffering and neglect? I urge my colleagues to join me and many others on this committee in opposing this legislation that will tie the hands of horse owners in this country. And I yield back.

The CHAIRMAN. I thank the gentleman.

Without objection, H.R. 503 and statements by any Member will be made a part of the record, and we will proceed to our first witness.

[H.R. 503 and the prepared statements follow:]



109TH CONGRESS  
1ST SESSION

# H. R. 503

To amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2005

Mr. SWEENEY (for himself, Mr. SPRATT, Mr. WHITFIELD, Mrs. BONO, Mr. BROWN of Ohio, Mr. COX, Mrs. CAPPS, Mr. ENGEL, Ms. ESHOO, Mr. FERGUSON, Mr. GENE GREEN of Texas, Mr. PALLONE, Mr. TOWNS, Mr. GALLEGLY, Mr. MORAN of Virginia, and Mr. SHAYS) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION ON SHIPPING, TRANSPORTING,**  
2 **MOVING, DELIVERING, RECEIVING, POS-**  
3 **SESSING, PURCHASING, SELLING, OR DONA-**  
4 **TION OF HORSES AND OTHER EQUINES FOR**  
5 **SLAUGHTER FOR HUMAN CONSUMPTION.**

6 (a) DEFINITIONS.—Section 2 of the Horse Protection  
7 Act (15 U.S.C. 1821) is amended—

8 (1) by redesignating paragraphs (1), (2), (3),  
9 and (4) as paragraphs (2), (3), (5), and (6), respec-  
10 tively;

11 (2) by inserting before paragraph (2), as so re-  
12 designated, the following new paragraph:

13 “(1) The term ‘human consumption’ means in-  
14 gestion by people as a source of food.”; and

15 (3) by inserting after paragraph (3), as so re-  
16 designated, the following new paragraph:

17 “(4) The term ‘slaughter’ means the killing of  
18 one or more horses or other equines with the intent  
19 to sell or trade the flesh for human consumption.”.

20 (b) FINDINGS.—Section 3 of the Horse Protection  
21 Act (15 U.S.C. 1822) is amended—

22 (1) by redesignating paragraphs (1) through  
23 (5) as paragraphs (6) through (10), respectively;

1           “(1) horses and other equines play a vital role  
2           in the collective experience of the United States and  
3           deserve protection and compassion;

4           “(2) horses and other equines are domestic ani-  
5           mals that are used primarily for recreation, pleasure,  
6           and sport;

7           “(3) unlike cows, pigs, and many other animals,  
8           horses and other equines are not raised for the pur-  
9           pose of being slaughtered for human consumption;

10          “(4) individuals selling horses or other equines  
11          at auctions are seldom aware that the animals may  
12          be bought for the purpose of being slaughtered for  
13          human consumption;

14          “(5) the Animal and Plant Health Inspection  
15          Service of the Department of Agriculture has found  
16          that horses and other equines cannot be safely and  
17          humanely transported in double deck trailers;”;

18          (3) by striking paragraph (8), as so redesign-  
19          ated, and inserting the following new paragraph:

20          “(8) the movement, showing, exhibition, or sale  
21          of sore horses in intrastate commerce, and the ship-  
22          ping, transporting, moving, delivering, receiving,  
23          possessing, purchasing, selling, or donation in intra-

1       slaughtered for human consumption, adversely affect  
2       and burden interstate and foreign commerce;”.

3       (c) PROHIBITION.—Section 5 of the Horse Protection  
4 Act (15 U.S.C. 1824) is amended—

5           (1) by redesignating paragraphs (8) through  
6       (11) as paragraphs (9) through (12), respectively;  
7       and

8           (2) by inserting after paragraph 7 the following  
9       new paragraph:

10           “(8) The shipping, transporting, moving, deliv-  
11       ering, receiving, possessing, purchasing, selling, or  
12       donation of any horse or other equine to be slaugh-  
13       tered for human consumption.”.

14       (d) AUTHORITY TO DETAIN.—Section 6(e) of the  
15 Horse Protection Act (15 U.S.C. 1825(e)) is amended—

16           (1) by striking the first sentence of paragraph  
17       (1);

18           (2) by redesignating paragraphs (1) and (2)  
19       and as paragraphs (2) and (3), respectively; and

20           (3) by inserting before paragraph (2), as so re-  
21       designated, the following new paragraph:

22           “(1) The Secretary may detain for examination, test-  
23       ing, or the taking of evidence—

1       which the Secretary has probable cause to believe is  
2       sore; and

3               “(B) any horse or other equine which the Sec-  
4       retary has probable cause to believe is being shipped,  
5       transported, moved, delivered, received, possessed,  
6       purchased, sold, or donated in violation of section  
7       5(8).”.

8       (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
9       12 of the Horse Protection Act (15 U.S.C. 1831) is  
10      amended by striking “\$500,000” and inserting  
11      “\$5,000,000”.

PREPARED STATEMENT OF HON. ROBIN, HAYES, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF NORTH CAROLINA

I want to thank Chairman Goodlatte and Ranking Member Peterson for holding this hearing to review H.R. 503, a bill to amend the Horse Protection Act. This is a bill that has tremendous shortcomings, will cause major disruptions in the horse industry, and lacks any strategy of how we deal with the problems it will undoubtedly create.

This bill is based solely on emotion. On the surface, it may make a person feel good to say they would not support processing horses that will later be eaten by consumers overseas. But if you stop and think about what happens to those 60-90,000 horses that will be diverted from slaughter, you realize this bill does not provide a single answer to truly solve the problem.

I find it distressing that the proponents of H.R. 503 care more about what happens to the animal after it is euthanized than what happens while these animals are alive. If these animals are no longer able to be processed at federally regulated plants, where will these horses go? Yes, these animals will be alive, but if it is a life of neglect, abuse, abandonment, starvation—what good have we served? I want to make sure that all of these animals are cared for humanely throughout their life.

Owning a horse is a privilege that should be taken seriously. Horses are high-maintenance animals that require feed, water, veterinary care, and safe keeping. The care of horses is expensive. The Animal Welfare Council estimates it costs \$2,340 per year per horse. Public animal rescue facilities and horse sanctuaries across the country are currently saturated with unwanted horses and in desperate need of funds. How does adding thousands more horses help this already dismal situation?

H.R. 503 does not provide a single answer to ensure the proper care of these animals. Where will these animals go? How do we fund their care? How do we ensure they are not starved and abandoned? Why should we saddle our local communities with this burden?

More than 60 reputable horse organizations, animal health organizations, and agricultural organizations oppose this legislation, and they represent some of the most respected and knowledgeable people who own and care for horses in the United States. In my home State, the North Carolina Horse Council, North Carolina Quarter Horse Association, North Carolina Department of Agriculture and Consumer Services, North Carolina Farm Bureau, North Carolina Pork Council, and the North Carolina Cattlemen's Association oppose this legislation and the precedent it could set for other livestock.

If you look at the facts and not the emotional hype, I believe the choice here is really quite simple. I believe my stand against H.R. 503 is a stand for the humane treatment of these animals.

PREPARED STATEMENT OF HON. HENRY CUELLAR, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF TEXAS

- Chairman Goodlatte, Ranking Member Peterson, thank you for your decision to hold this hearing on H.R. 503.

- This bill has drawn lots of attention because horses have a special place in American culture. Some say horses are American icons that deserved to be treated as such.

- Because of the special place assigned to these animals, it would seem logical that we take action relative to their housing, care and handling based only on the best science, the best professional advice of equine veterinarians, and ultimately, what best serves the well-being of the animal.

- Unfortunately, this bill throws thoughtful, deliberate logic and knowledgeable science out the window.

- I am strongly concerned that this bill does nothing to enhance the welfare of these animals.

- But I am even more concerned that this bill would insert the Federal Government into a citizen's decision on the disposition of his or her private property.

- If a citizen wants to obtain the maximum value for their property, they should be free from Government interference in choosing the best avenue to do so.

- Further, this bill says nothing about the disposition of unwanted horses or the costs related to caring for these animals.

- This bill is held up as an animal welfare bill but it conveniently overlooks the fact that no standards exist to ensure affected horses will receive appropriate and adequate care.

- This bill is long on emotion but short on a true understanding of equine welfare.

- Horses do have a special place in American culture.

- But we should not allow emotion and sound bites to move us to hasty actions that potentially condemn thousands of horses to abandonment and neglect.
- Thank you again, Mr. Chairman for holding this hearing.

The CHAIRMAN. We are very pleased to welcome the Honorable Don Sherwood, Member of Congress from the Commonwealth of Pennsylvania. Mr. Sherwood, as I noted in my opening statement, is a horse owner, and we very much welcome your interest in this issue and your testimony today.

**STATEMENT OF HON. DON SHERWOOD, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF PENNSYLVANIA**

Mr. SHERWOOD. Thank you, Chairman Goodlatte. Good morning, and Ranking Member Peterson and members of the Agriculture Committee.

I very much appreciate today the opportunity to be here and share with you my thoughts on H.R. 503. That bill would amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, processing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption. It doesn't say what you do with them.

The reason that I feel compelled to testify is that I have been involved with horses all my life, and for the last 32 or so years I have spent my spare time breeding, raising, training and showing Belgian draft horses. No one is a bigger horse lover than I. At most times my partner and I have had between 10 and 20 Belgians on our farm, so that I more than most understand the emotional attachment that we all have for horses.

But horse owners need a way to deal with horses that are no longer needed or no longer healthy, or sound, or can't be trained or handled. The market has developed a way that is economically viable to dispose of these horses that are unwanted or unusable. That slaughter market is important for the equine industry for the same reason that it is to the dairy industry.

Think of the extension of this law. Suppose we passed a law that dairy cattle, after they have given milk and been in people's herds for years, could not be slaughtered. There would be thousands and thousands and thousands of them. Fortunately, when a dairy cow ruined by mastitis or becomes a poor producer, she would quickly become a financial drain to her owner, but fortunately for the dairyman, the meat animal industry is there to claim that cow, relieving the owner of a financial burden and providing useful and nutritious food. You know, that is not the choice steaks, porterhouse or tenderloin that we would like put on the grill, but nonetheless good beef.

There is no reason that Congress should destroy the similar market for unwanted, unusable or surplus horses. Even though we don't consume horses in our own culture, there is an active export market.

This bill would have huge negative economic consequences for rural America. It appears that there are about 70,000 horses a year that for some reason become unusable or unwanted. With the average cost to maintain a horse in most parts of the country, maybe not on range country, but to be approximate, \$1,900 to \$2,300 a year, and with the exponential growth that you would see if you

add 70,000 to that pool every year, and only a few die, you soon have hundreds of thousands of these horses that we would have to be caring for, doing something with. The economic costs become huge. Without sufficient facilities or funding, many of these unwanted horses would be neglected and face poor care, and even in some cases starvation. The truly compassionate action for these horses is to continue to have an orderly market for their disposition.

Some proponents of H.R. 503 argue that answer is euthanasia, even though that means you don't slaughter them, but you kill them anyway. It doesn't make a lot of sense. And then you have to dispose of them, which as the chairman said, is a huge problem. A huge problem for water quality, a huge expense. It is economically unsustainable, and it ends up with the same fate for the horses.

The agriculture market economy has worked well in this country for over 200 years. I don't see any rational reason that we here in Washington should start down this slippery slope that would hurt our economy in a significant way, and probably end up with inhumane treatment of these surplus horses that we all feel so fondly about.

H.R. 503 makes no economic sense whatsoever, and I can see where it makes no compassionate sense. It should definitely be defeated.

Thank you.

The CHAIRMAN. Thank you, Congressman Sherwood. We appreciate your testimony today. It is the custom of the committee not to ask questions of panels consisting of Members of Congress, so we will excuse you at this time, but again, thank you very much for your passion and for your contribution on this issue.

We would now like to invite our second panel to the table.

Dr. Thomas Lenz, past president and chairman of the Equine Welfare Committee, and also representing the American Associate of Equine Practitioners, from Louisburg, Kansas.

Dr. Bonnie Beaver, past president of the American Veterinary Medical Association from College Station, Texas.

Mrs. Tammy Pate, a member of the American Quarter Horse Association, and also a horse owner and trainer from Helena, Montana.

Mr. Frank Bowman, president of the Horsemen's Council of Illinois, from Pleasant Plains, Illinois.

Mr. Paxton Ramsey, Young Cattlemen's Committee chairman and Agriculture Policy Committee member of the National Cattlemen's Beef Association from Devers, Texas.

The Honorable Charlie Stenholm, former ranking member of the House Committee on Agriculture from Washington, DC.

We would like to thank all of the members of this panel for your participation today. We would remind you all that your entire statement will be made a part of the record, and ask that you limit your remarks to 5 minutes.

And Dr. Lenz, we will start with you.



**STATEMENT OF THOMAS R. LENZ, D.V.M., PAST PRESIDENT,  
AMERICAN ASSOCIATION OF EQUINE PRACTITIONERS**

Dr. LENZ. Chairman Goodlatte and distinguished members of the committee, thank you for the opportunity to appear before you today. My name is Dr. Tom Lenz, from Louisburg, Kansas, and I have been an equine veterinarian for over 30 years. I am not only a horse veterinarian, but an avid horseman who has owned and enjoyed horses my entire life.

My official role today is as past president of the American Association of Equine Practitioners and the current chairman of the AAEP's Equine Welfare Committee. The AAEP is a professional association that represents more than 9,000 equine veterinarians and veterinary students worldwide with a mission to protect the health and welfare of the horse.

I am here today to explain to the committee why the majority of horse veterinarians in this country oppose H.R. 503. My two key points today are the following: First, this bill will have a negative effect, a negative impact on the health and welfare of horses across the country, and offers no solution to the current problem of what to do with horses that are no longer needed or useful to their owners. And secondly, horses processed at USDA-regulated facilities under the supervision of Federal veterinarians are treated with dignity and euthanized humanely.

In 2005, nearly 90,000 horses were sent to processing plants in the United States. The vast majority of those horses were no longer useful or of value to their owners. They were unwanted.

A horse can become unwanted because it has failed to meet its owner's expectations because of old age, poor performance or lameness; it may be dangerous; it may present a risk to its handlers; or its owners may no longer be capable of providing physical or financial care. These are usually the lowest valued horses in the industry and bring only a few hundred dollars at a sale compared to the national selling price for horses, which is around \$3,100.

One of the most detrimental aspects of H.R. 503, from an equine welfare standpoint, is the bill's failure to address how and where unwanted horses will be cared for if horse processing is banned. If H.R. 503 is passed, nearly 90,000 horses next year will need to be placed in alternative homes, or be euthanized and their carcasses disposed of. And that number will incrementally increase each year as additional horses grow old, encounter health problems, or are no longer wanted.

There are a number of equine rescue and retirement facilities in the U.S. providing homes for old and unwanted horses today, and we commend their work. However, the capacity of these individual facilities is usually limited to 30 horses or less, and we estimate that current rescue/retirement facilities in the U.S. can handle no more than 6,000 horses a year.

Additionally, H.R. 503 does not address the funding required to care for or dispose of an additional 90,000 horses per year. Assuming a bare minimum cost of \$5 per day for a horse's basic needs, which doesn't include veterinary or farrier expenses, the funding needed per year, per horse, is approximately \$1,825. That translates to around \$160 million to care for these animals next year, or nearly \$20 million to euthanize and dispose of their carcasses.

A final welfare concern for these horses is the fact that a ban on horse processing in the United States does not mean a ban on horse processing in our neighboring countries. H.R. 503 does nothing to prevent U.S. horses from being shipped out of the country and ultimately to a processing facility.

The shipment of U.S. horses to foreign countries presents a number of serious welfare concerns. Horses will be on transport vehicles for much longer periods of time traveling to foreign destination points without the protection of APHIS oversight. More importantly, USDA humane transport to slaughter regulations and oversight do not apply to foreign plants, nor will USDA veterinarians be on site at the foreign plants to ensure proper handling of the horses and their humane euthanasia.

With a lack of adequate placement opportunities, no funding for long-term care and no mechanism to stop the transport of horses outside the U.S. to processing plants in other countries, H.R. 503 will increase the suffering of American horses, not stop it. Many horse owners, unable to sell their low-value horses, will neglect, abuse or abandon them.

My second point is that horse processing at a USDA-regulated facility is a humane, painless method of euthanasia for a horse. In July 2002, several members of the AAEP leadership, including myself, visited the Beltex plant in Texas to view the euthanasia process firsthand. Two USDA veterinarians were on-site to inspect the horses and oversee the humane treatment of the animals throughout the process.

During our visit, we witnessed a professionally run operation that treated the horses with dignity and euthanized them humanely. The horses were handled calmly and were neither frightened nor abused. In addition, brand inspectors were present when horses were unloaded to ensure that none of them had been stolen.

The euthanasia method that is used on horses at the processing facilities is a captive bolt, which penetrates the horse's skull and renders the animal instantaneously unconscious and brain dead. It is rapid, and it is humane.

In closing, I want to state that the AAEP does not favor processing as a way of dealing with the unwanted horses, but it is an acceptable option until the horse industry can develop an effective plan for dealing with the horses that are no longer useful or wanted. We believe the equine industry must work together to help these animals through education and encouraging responsible horse ownership. That is why the Unwanted Horse Coalition was formed in 2005 by the AAEP, and now operating under the American Horse Council.

Society has been working a similar problem with dogs and cats for years, and yet we still euthanized millions of animals each year at humane shelters. Solving this very similar issue in the horse industry will take time, but the industry has deemed it an important priority and is working to solve it. That is why it is premature to ban the humane euthanasia of horses at processing facilities.

H.R. 503 will compound the problems of unwanted horses by banning one of the few available mechanisms to humanely remove these horses from the horse population. Most of the people supporting this bill are well intentioned, but ill informed about the con-

sequences of this legislation. They are motivated by emotion and not by fact.

We, the horse veterinarians of this country, are on the front line in the day to day health care of our Nation's horses, and we know that passage of this bill will offer no solutions, but will in fact create more welfare problems. If passed, it will have a serious negative effect on the health and welfare of tens of thousands of horses in this country.

Thank you.

[The prepared statement of Dr. Lenz appears at the conclusion of the hearing.]

The CHAIRMAN. Thank you. Dr. Lenz. Dr. Beaver, we are pleased to have you with us today as well.

**STATEMENT OF BONNIE V. BEAVER, D.V.M.; PAST PRESIDENT,  
AMERICAN VETERINARY MEDICAL ASSOCIATION**

Dr. BEAVER. Thank you.

Distinguished Congressmen, my name is Bonnie Beaver and I am a past president of the American Veterinary Medical Association. I am here to explain why the AVMA is opposed to H.R. 503.

In addition to my short biography, which you have, I want to mention my involvement with horses. As a child, Roy Rogers was my hero and I named my first horse Trigger. I have owned and shown horses almost my whole life, and I am past president of the Palomino Horse Breeders of America. Because horses were my passion, I became a veterinarian. They remain my passion, and that is why I am here today.

I strongly support the AVMA's opposition to H.R. 503 because it does not adequately address certain issues that are important for the welfare for. We are also concerned about misinformation that continues to be circulated regarding euthanasia techniques.

First, let me discuss the misconceptions. The AVMA convened a panel of experts, veterinarians and scientists, including a HSUS member, to evaluate the research status of chemical and physical euthanasia methods. I chaired that panel. The report, a copy of which has been provided for the record, defines euthanasia as "humane death" in which unconsciousness comes quickly in the process. The AVMA panel report recommends two types of euthanasia for horses; an overdose of barbiturate anesthesia and the use of a penetrating captive bolt with appropriate restraint.

The penetrating captive bolt is not a stun gun. It causes instantaneous death due to the destruction of brain tissue. Let me repeat, instantaneous death. The comments about appropriate restraint do not mean that the horse's head must be completely immobilized, but instead that it should be in a position to allow skin contact with the penetrating captive-bolt.

No form of euthanasia is pretty to watch. Terminal movements after brain death can easily be misinterpreted as struggling efforts. There is also the misconception that horses panic when they come into a restraint box. In fact, causing excitement or panic in horses can result in injury to both the horse and persons nearby. Instead, working the animals quietly, as required by USDA regulations, allows the horse to enter the restraint box without injury. Once in

confinement, horses become passive because they recognize their instinctive ability to flee has been thwarted.

We understand that the supporters of H.R. 503 are arguing that the transportation of horses to slaughter plants is also inhumane. I would remind you that the current USDA regulations, which we have included for the written record, were developed and implemented with significant input from the AVMA, AAEP, other horse groups, as well as from HSUS and other groups arguing against the very regulations they helped design.

Welfare is the biggest concern of the AVMA for those horses that would be impacted by a ban on horse slaughter. Currently, horse rescue and retirement facilities in the United States have a maximum capacity of about 6,000 horses. It would be an extreme challenge to create facilities for 15 times that number each year.

As shown by the Horse Welfare Coalition Fiscal Impact document, which is been included for the record, and as already experienced in the case of wild horses in the western United States, the cumulative costs for a large number of horses is very expensive.

H.R. 503 does not address financial support required for the care of these horses given up by their owners, and the inadequate funding has a huge potential to create opportunities for inadequate facilities and care. Watching a horse slowly die from starvation or disease is not only distressing, it is cruel. Furthermore, horse retirement facilities are not regulated, so there is no way to ensure the horses living there will receive adequate care.

Carcass disposal of euthanized horses can create wildlife and environmental concerns. Scavenger species can be killed by chemical agents in discarded tissues, burial is not permitted in many areas, and chemicals can contaminate the soil. Euthanasia, carcass removal, burial and cremation are each expensive.

The AVMA is concerned that a well-intended effort will have serious consequences on the welfare of unwanted horses. The people supporting this bill fail to take into account the ramifications that would result from its passage. They are making this into an emotionally charged issue instead of offering solutions to the problems that would be created. We ask that you please do what is right for the horses' welfare and not support H.R. 503.

Thank you.

[The prepared statement of Dr. Beaver appears at the conclusion of the hearing.]

The CHAIRMAN. Thank you, Dr. Beaver.

Mrs. Pate, we are pleased to have your testimony.

#### **STATEMENT OF TAMMY PATE, AMERICAN QUARTER HORSE ASSOCIATION; HORSE OWNER, BREEDER, AND TRAINER**

Mrs. PATE. Mr. Chairman and members of the committee, good morning. My name is Tammy Pate, and I am a lifelong horsewoman, cowgirl, horse breeder and trainer. But most importantly, I am a horse lover. As a matter of fact, I am not unlike the majority of people who own horses in this country; a woman with a family who owns horses whose average market value is less than \$5,000. It is a level at which I can afford to own and be active in the horse community.

I am here today on behalf of the American Quarter Horse Association and all responsible horse owners. I am proud to be a member of the AQHA and an own a breed of horse that is widely considered to be the most versatile horse in the world. He excels in many different activities and the American Quarter Horses are owned by children, moms and dads, 4-H members and people from nearly every walk of life and economic background.

AQHA encourages responsible breeding practices through many programs and helps educate its members to be responsible horse owners. AQHA is the only breed association in the industry to have a breeder referral program, whose members practice responsible breeding, abide by a code of ethics, are screened by AQHA and assist people who want to own horses.

I started riding before I could walk, and I rode my very own horse, a pony, at age 3. Today, my family starts colts and together we conduct clinics around the country educating the public on low stress horsemanship and livestock handling. My husband, Curt, and I, along with our two children live on a small horse property in Helena, Montana, and we spend a lot of time with our horses.

Curt is a member of AQHA's Association of Professional Horsemen and is currently touring the country on behalf of AQHA conducting clinics on starting horses and being a responsible horse owner. AQHA's Association of Professional Horsemen, which has 791 U.S. members, is the only such program of its type in the industry and its members are available to help owners with any riding disciple. Like the breeder referral program, each professional is required to abide by a code of ethics.

Curt and I do not support H.R. 503, the American Horse Slaughter Prevention Act. As horse lovers, neither Curt nor I would ever want to see a horse mistreated, neglected, or starved. Low stress horsemanship is something we teach daily. Our method involves teaching people how to understand a horse's natural instincts, develop a relationship and communicate better based on that understanding.

Currently, H.R. 503 does nothing to address what would happen to those unwanted or unusable horses that normally would be humanely euthanized in one of the U.S.'s three slaughter plants.

In preparation for this testimony, I have seen reports and read where people, animal rights activists, have exaggerated and painted a gruesome, shocking and horrible death that horses at slaughter plants endure. These include videos that are old and not identified as to origin. In addition, there has been testimony based on visits that occurred at least 10 years ago to processing plants that no longer exist. These visits also occurred prior to the adoption of the USDA's regulations governing the transport to and treatment of horses at processing plants.

On our ranch, we have slaughtered animals, primarily cattle, and we are grateful to have that right. Slaughtering an animal isn't something many people like to think about, much less talk about, but to characterize it the way in which it has been by the proponents of this bill is inaccurate and only meant to inflame and lead you to draw wrong conclusions. Slaughter by its very nature might not be a pleasant topic, but in some cases, sending a horse

to be humanely euthanized at a processing facility is the right thing to do.

As much as I love horses, I understand and accept that not all horses are alike and that over time some can become unruly, dangerous, infirm or their owners, for whatever reasons, no longer use them, and I am experiencing this firsthand.

While Curt and I always hope that none of our horses will ever have to be sent to a slaughter facility, we also recognize that our circumstances are very different from those asking you to ban slaughter in the United States. We differ economically, and we own a small ranch and are committed to environmentally conscious ranching practices. We currently own a horse who, if allowed to live, will likely only endure a life of pain and suffering. We are exploring all available options and it may be best for her to end her life at a processing facility.

For sure, this is not an easy decision, and as advocates of the horse, my family and I still struggle with this decision. In the long run, however, we both recognize good judgment and sound reasoning must win over sensationalism and emotion. Breeding this mare or passing her problems along to others is not being a responsible breeder or a common sense horse owner.

The option of sending a horse for processing at one of the U.S.'s three plants must remain available to those who need it so long as measures ensuring humane transportation and treatment of horses are in place. Thanks to this committee, those guidelines exist today.

I have also heard many people talk about their horses being pets. Every day I experience what horses do for people. However, horses are livestock, they are not pets. If some cultures consume horses, it is their right to do so, but I don't believe that H.R. 503 should be about human consumption of horsemeat. It should be about doing what is in the best interest for America's unwanted horses. Banning this option is not doing what is best for the horses.

Living in Montana, I can tell you how sad and unfortunate it is when un-adoptable wild horses are condemned to live out the remainder of their lives in a feedlot. Quality of life should be an issue. I also can tell you how much it costs to care for horses and the financial burden this ban would create. It is very reasonable to expect that a portion of these unwanted horses, those that do go to slaughter, will be abandoned. Perhaps not here in the middle of Washington, DC, but on the plains of Montana and other locations too numerous to mention, we will see it happen.

Over the years, I have had many horses, and I have loved each of them, and thanks to my grandparents, parents, husband and now children, I have so far lived a life fulfilled thanks to our horses. I always dread the day when I must make the most difficult decision ever; what to do when it comes time to end one of my horse's lives. I support horse processing as an option for owners and encourage this committee to please do the same. As simply and plainly as I can tell you, sometimes it is the best option.

Thank you.

[The prepared statement of Mrs. Pate appears at the conclusion of the hearing.]

The CHAIRMAN. Thank you, Mrs. Pate, for that heartfelt testimony.

Mr. Bowman, welcome.

**STATEMENT OF FRANK S. BOWMAN, PRESIDENT, THE  
HORSEMEN'S COUNCIL OF ILLINOIS**

Mr. BOWMAN. Thank you, Mr. Chairman.

Nobody here today stands in opposition to animal welfare and the humane treatment of horses or any other livestock species throughout their entire life cycle. Nobody disputes the horse's important role in battle and exploration throughout history. I am certainly not here to argue the burden that horses have carried for mankind in the making of this great country, but I am here to oppose the prohibition considered in H.R. 503 and to discuss the inability of State and local governments to meet the challenge imposed by its passage.

The issue of horse slaughter is extremely divisive for the horse community, and in my position as president of the Horsemen's Council of Illinois I have been on the front line in planning sessions and meetings with equine professionals, horse owners and industry leaders from across Illinois, and across the country, on this issue. Discussions on horse slaughter always bring out the full range of emotions that you would expect in similar discussions on capital punishment, or even abortion.

However, the prohibition considered in H.R. 503 is not about providing protections for family pets or derby winners. It is not about preserving a piece of American history, a child's joy, or the wind in your hair. H.R. 503 seeks to remove a humane tool used to manage the overall health of the national horse herd. H.R. 503 begins a paradigm shift in property rights as they apply to all livestock. When you strip away all the emotion, H.R. 503 is about animal rights, not animal welfare.

As you know, there is an enormous difference between animal "welfare" laws, which seek to protect and enhance humane treatment of animals, and animal "rights" laws, which seek to give legal standing and end the beneficial use, enjoyment and ownership of animals. H.R. 503 is an obvious animal rights bill and will not benefit or enhance animal welfare in the United States.

There are no fundable alternatives presented in the bill. There is no oversight provision in the bill proposed for managing the growing number of equine rescue and retirement facilities cropping up all across the country. There is no support extended for the many State and local agencies that will face the challenge and bear the cost for housing abandoned and un-adoptable horses. Nor are there any programs proposed or created for the education of horse owners or population control measures, such as spay and castration assistance, through local veterinarians and animal shelters, which are aimed at the cause.

The majority of horse owners are not wealthy landholders. The average horse owner in the United States typically has one to three horses on a large suburban lot or a small acreage, mainly for recreation. Many are just treading above water financially, some aren't doing that well, but they all love their horses and their chosen equestrian lifestyle. It is our fear that through the prohibition in

H.R. 503 the lower end, the unemployable and the otherwise unwanted animals which have historically been harvested through slaughter may suffer increased neglect and begin to place an additional burden on State and local governments, humane societies and animal shelters, which are simply incapable of taking on the responsibility for more than 90,000 unwanted horses every year.

Through this legislation some horse owners who, for whatever reason, can no longer afford to feed their animals, provide for needed veterinary care, pay for euthanasia and burial or have no ability to sell the animal quickly through private treaty, may also lose the ability to divest themselves of the animal through a livestock auction. It is my concern that such owners may simply decide to cut their losses and turn the horses loose to graze on public lands and in national forests, thereby adding to the burden for government agencies, including USDA and BLM.

H.R. 503 is not a free vote. There are nearly 2 million horse owners in the U.S. who will be affected by your decision on this issue. Nearly every State and local government will feel the far-reaching effects of this legislation, if passed. The future minimum value of horses as livestock hangs in the balance here today as well.

Please join us, and nearly every professional equine and livestock organization across the country, in our efforts to promote responsible breeding, developing alternatives to slaughter and educating horse owners to the responsibility they have for the welfare of their animals. Help us bring the general public to understand the joys of interacting with horses. Let us work toward the ultimate welfare of our horses, not legislating prohibitions through unfunded mandates and taking property rights. I urge you to vote no on H.R. 503.

[The prepared statement of Mr. Bowman appears at the conclusion of the hearing.]

The CHAIRMAN. Thank you, Mr. Bowman.

Mr. Ramsey, welcome.

**STATEMENT OF PAXTON RAMSEY, MEMBER, NATIONAL CATTLEMEN'S BEEF ASSOCIATION; TEXAS AND SOUTHWESTERN CATTLE RAISERS ASSOCIATION**

Mr. RAMSEY. Mr. Chairman, members of the committee, good morning. My name is Paxton Ramsey, and I am a rancher and horseman from Devers, Texas, and it is my honor and pleasure to be here today to talk to you about H.R. 503.

Horses have been an important part of ranching in that they help us in our daily activities and have played a crucial role in developing the U.S. cattle business into what it is today. These horses are tools, they are companions, and in my opinion, one of God's masterpieces. With that said, I can assure you that I give them utmost respect, care and attention that they deserve. Besides starting our family's ranch in 1904, my great-grandfather was also involved in the horse industry. He made a name for himself as he broke horses for Roosevelt's Rough Riders, and he started what became a 200 head band of mares in my grandfather's generation that were well known for their ability to make good ranches into great ranches.

Today we have downsized to roughly 60 head due to the modern day expenses for appropriate health care for horse herds of large



numbers. Unfortunately, we must recognize that not all horse owners are passionate, nor are they responsible in caring for these animals. Many horses become sick, lame, no longer useable as they once were, unmanageable or unruly. Sally Ramsey, my aunt, was killed by just such a horse on her ranch in Junction, Texas in 1991. Not a pleasant experience, I assure you. These are just a few reasons that a horse may become unwanted and dealt with in a humane fashion.

First and foremost, we have to remember that the processing of horses is just one of many different management options for owners to consider. Other options include adoption, rehabilitation, donation, and private purchase. This brings up a good point. The money received for a processed horse is roughly one-tenth or less than what its value would be as a usable horse. I am sure that in most cases a horse sold for processing is sold under these conditions because the owner has exhausted all other options. Contrary to popular belief, this is not a group of thieves running around stealing horses in the night and slaughtering them for huge profits. These processing plants are strictly regulated by the USDA, and in the case of my home State of Texas, brand inspectors are on hand to ensure that the horses are not stolen.

Since 1997, by mandate of Texas legislature, Texans and Southwestern Cattle Raisers Association has stationed inspectors in the two horse slaughter plants in Texas to inspect, identify, oversee and ensure that horse thieves are unable to utilize these plants as an effective place of business. These law enforcement investigative efforts not only deter theft, but also pursue and prosecute the offenders in their jurisdiction. In 2005, TSCRA recovered and accounted for 40 missing and stolen horses, with an average of 100 head annually recovered over the past 10 years. A perfect example of this occurred this summer when a roping horse was stolen from the Saginaw Rodeo Arena, just 2 miles from a Fort Worth plant, but was successfully recovered by the TSCRA field inspection team.

I am afraid that eliminating the processing of horses as a management option will actually pose a risk to horse welfare. Without the ability to recapture even a small value from the sale of their unwanted horse, some horse owners will spend absolutely no money to properly euthanize and dispose of these animals. Our unwanted horses under these conditions will now begin a slow and painful neglect, starvation, and/or painful process that is sure to end with a very unnecessarily inhumane death. My wife Erica is a veterinarian in Baytown, Texas, and has been called in as a witness on a neglect case. She hopes to never do that again.

You have heard the horse welfare and veterinary experts talk today about their concerns on how to address the 70,000 horses that will require care, its cost, and the unintended mistreatment of these animals in non-regulated rescue facilities, and the environmental concerns of disposing of carcasses. We agree with these experts because the H.R. 503 fails to address any of these issues. Somebody, somewhere is going to have to pay for the care of these animals, and more than likely it is going to be an American taxpayer. An additional concern of mine, as both a rancher and horseman, is the dangerous fact that this bill is solely based on emotion.

The groups supporting H.R. 503 have had to resort to playing on peoples' emotions because they know they have absolutely no factual basis to ban the processing of horses. Horse processing is regulated by the USDA under the Humane Slaughter Act, and faces all the scrutiny and inspections that other livestock processing plants do. Though it is not illegal, nor is it inhumane, the overall thought of horses being processed for food is not appealing to me, nor to the general public. However, the alternative will most certainly be cruel, gruesome and a costly experience, especially for the horses at stake.

The opposition talks about horses being mistreated while in transportation to processing plants, mistreated in the plants and accuses plants of willingly taking in stolen horses. There are already laws that address these issues, and if they need to be better enforced, so be it. But let us not confuse the enforcement of laws with the emotions that surround them. Leaving the law in the hands of the emotional is a slippery slope, as has been said before, and one that will affect all of agriculture.

One thing we must keep in mind is the availability of choice. We have a choice how to manage our horses, and should be allowed these choices, due simply to the fact that these horses are our private property. I firmly believe that it is Congress' place to put laws into effect to regulate the way livestock can be treated and penalize those who abuse animals, but not to regulate how I manage my property when the options I choose from are humane and are based on sound animal production practices.

I appreciate the committee's leadership in tackling this tough issue, and I look forward to seeing each of you vote this bill down. This affects my business and the businesses of many others with no sound basis, not to mention the American employees at these plants who will lose their jobs.

As a horseman, I can truly appreciate the oppositions' affection for horses, but I would encourage them to redirect their energies by rolling up their sleeves and personally rescuing as many of these horses as they can, rather than manipulating Congress with no logical future plants intact. These types of actions will most certainly create much larger problems than the ones we are here addressing today.

I thank you for your time, and the opportunity to express my views this morning, and I, along with many other ranchers, look forward to working with you to defeat H.R. 503.

[The prepared statement of Mr. Ramsey appears at the conclusion of the hearing.]

The CHAIRMAN. Thank you, Mr. Ramsey.

Charlie, welcome back. We are glad to have you with us today.

**STATEMENT OF HON. CHARLES W. STENHOLM, SENIOR  
POLICY ADVISOR, OLSSON, FRANK AND WEEDA, P.C.**

Mr. STENHOLM. Thank you, Mr. Chairman. This is a first for me to appear on this side of the House Agriculture Committee, and I must say that I am honored to be here today in this capacity and with this panel, that represent the overwhelming majority of horse owners and how they feel about H.R. 503.

Mr. Chairman, I thank you and Ranking Member Peterson, for holding the hearing to allow the information from the horse industry to get out, to have some of the misinformation that has constantly been circulated about H.R. 503, as I also thank Chairman Joe Barton and Ranking Member John Dingell for the hearing that was held in Energy and Commerce.

As you heard today, the U.S. horse industry is of major significance to the economy of United States, contributing over \$40 billion. It is not only big business, but it also provides enormous pleasure for millions of adults and children alike. Through 4-H, and FFA, and numerous breed horse councils, children are taught how to care for their animals. In fact, it is the rare exception when animals are mistreated. But unfortunately, it does happen. Horses that go to processing plants are protected by law as no other species are. There is no incentive for the plants to mistreat the horse, because it costs them money.

Banning horse slaughter is very appealing to some, as is banning the slaughter of beef, and hogs, and sheep, and chickens, and fish; anything that is alive. But if you eat meat, something has to die. Some ethnic and religious groups have different customs, and are taught to respect different views. In our country, the overwhelming majority approve of eating meat.

In the United States, there are some aspects of meat consumption for which there is overwhelming agreement. The animals that give up their lives for our sustenance should be humanely treated until and when they are euthanized before processing. There are two accepted methods of euthanasia for horses; overdose of a barbiturate, or gunshot or penetrating captive bolt.

Now we proceed to another area of some differences of opinion. What should happen to a horse after it has been killed/euthanized? Should it be buried, rendered, or consumed? If you wish to receive value for your horse, you may choose processing. If you wish to assume the cost of burying or rendering, that is your right.

But then there is another option touted by some; rescue/adoption/retirement. That too is your right. For a few horse owners, this is a good option, but for most it is not, because of cost.

Now let us look at the tenor of the debate that we have had thus far. Proponents of H.R. 503 continue to mislead the general public about how horses are processed. Just this Tuesday we had another incident. Last Friday we had a pleading of guilty of the person that burned the Cavelle Horse Processing Plant in Illinois in 1997. Justice is prevailing. Just this Tuesday someone, I don't know who, broke into the Common Horse Sense Web site, hacked in and proceeded to allow disinformation to spread over the Common Horse Sense Web site. That is against the law. These are some of the things that continue to go unnoticed by too many.

Having visited two of our three plants, let me say unequivocally, as you have heard today from these witnesses, horses do not arrive in poor condition. The truckers that bring them operate under very stringent law, and they obey those laws. They are inspected by U.S. veterinarians for soundness and signs of mistreatment. They are housed in covered receiving areas with feed and water. They move quietly down a narrow chute where they are euthanized. They are dead instantly by penetrating bolt, and having toured

many processing plants, I can honestly and sincerely state our horse plants do as good a job as humanly possible in following not only the letter but the spirit of the law. And accidents do happen, but it is extremely rare.

Horse processing is an integral part of the horse industry. Processing sets the floor price for the value of a horse. A floor price is of major importance to middle income horse owners and small businesses, but obviously of lesser importance to upper income horse owners. The value of the horse in processing is very important to middle income horse owners. The cost of euthanasia and disposal runs from \$200 to \$2,000 is of no small matter. Taking your horse to an auction market where you will receive the benefit of competitive bidding for maximum value of your horse is an option that must be protected.

Let us examine some of the suggested solutions to unwanted horses by proponents of H.R. 503. Rescue facilities; current capacity is 6,000. They are full. The estimated cost of a rescue facility, \$1,800 per year. The general public is contributing some \$10,800,000 to provide the housing of these horses. Add to this the cost of the BLM wild horses of 28,000, which we the taxpayers are paying \$50 million plus. Add another 90,000, which we will process this year, at \$1,800, that is \$162,200,000 a year that somebody has got to pick up the tab on. Who pays? The taxpayer? Private funds? Horse owners?

One suggestion offered by the proponents is for Federal controls on horse breeders, limiting the number of horses that can be bred or shifting the cost to the owner. The question to be asked is who is willing to pay the cost? While this can be interpreted as perfectly sound free enterprise, it is valid only if you continue the option of processing for those reasons.

Private property rights are important to most Americans. No horse should go to processing over the owner's objection. But if a horse owner does not object to processing, why deny him or her that right? I submit that all 300 million Americans have a right to ask for humane treatment of animals, including horses, but we do not have the right to fundamentally change an industry because of the views of a few. And we most assuredly do not have the right to abolish an industry with no compensation for taking.

Proponents of H.R. 503 make an issue of foreign owners. It is interesting to me when you have a Toyota plant in your State or your district, do you object to the jobs that it brings? If not, it is the height of hypocrisy.

Proponents of H.R. 503 make an issue that our horses go for foreign consumption. The U.S. is about to become a net food importer. Our horse industry provides a net trade surplus this year in excess of \$50 million. The world will consume 4.7 million horses this year. In America we choose what we want to eat. So does the rest of the world. I see nothing wrong with that. We seem to get in trouble every time we try to impose our wishes on someone else, which is exactly what proponents of H.R. 503 are doing.

In conclusion, let me restate the obvious. H.R. 503 is the most important vote you will cast this year pertaining to the livestock industry and agriculture in general. It has broad ramifications, Mr. Chairman, as you stated in your opening remarks, for the 2007

farm bill. If it should pass, the budget implications are tremendous; over a billion dollars a year in the next 5 years. Or, if you say the taxpayers are under no obligation to pay for someone else's property, then how do you rationalize taking away private property rights?

I want to make it very, very clear. If you are a horse owner and you do not wish your horse to be processed for human consumption, I am for protecting you and your horse from processing for human consumption. But if you are a horse owner and do not object to your horse being processed for human consumption, I am for you. It is called private property rights. If you are not a horse owner, I support your right to call for the humane treatment of horses in the ownership, raising, and transporting and processing that is carried out under the supervision of USDA.

But what we are talking about today are unwanted horses. That is the issue.

[The prepared statement of Mr. Stenholm appears at the conclusion of the hearing.]

The CHAIRMAN. Thank you, Congressman Stenholm. I want to thank all the members of the panel for their testimony. We will now proceed to questions, but before I do, I want to note for the record that a request to testify before the committee was received by the author of H.R. 503, and that request was granted, and an invitation extended to the gentleman from New York to testify, but he subsequently advised the committee that he was not able to participate. No other requests to testify were received from any proponents of this legislation.

Let me start with Dr. Lenz and Dr. Beaver. An estimated 90,000 unwanted horses are sold for food and feed each year. The alternative for many of these animals is another form of euthanasia or placement in one of several sanctuaries. And I would like you to discuss for us here on the committee the reasons why horses are unwanted, and what decisions horse owners make that lead many to being abandoned, mistreated and so on. Dr. Lenz.

Dr. LENZ. There are a lot of reasons why horses become unwanted or un-useful or not needed any longer. Some horses don't meet their owners' expectations. They don't win the horse shows, they are not fast enough. Some horses have serious problems with behavior. They can't be ridden, they can't be trusted. They are dangerous. Some horses become injured or lame. These are not life threatening injuries, but injuries that prevent you from using the horse and enjoying the horse, and then some horses become old.

Horses today live well up into their 30's, and so it is estimated that about 15 to 20 percent of the horses in this country are over the age of 20, and that trend will increase as time goes on because through improved veterinary care, and nutrition, and general care the horses are living much, much longer, like all animals, and like we are.

And so at some point in time people have to decide what to do with that animal when they can no longer use it. Most of us, I suppose, can afford to retire horses or turn them out to pasture or let them take life easier, let the grandkids ride them, but a lot of people cannot afford that. They can't afford to keep the horse around. A lot of people in my part of the country out in Kansas are ranch-

ers and they need the small amount of money they get from selling that horse to processing to help buy the replacement horse they use on their ranch, and we see that also with packers in the mountains and dude ranches and so forth.

And so there are a number of reasons why. Some people can go ahead and pay to have the horse euthanized. I think a survey done by the AAEP indicates that average cost is near \$100. It is much higher in some parts of the country, but around \$100. And then, of course, you have to consider how you dispose of the carcass. Most veterinarians will use injectable barbiturates to euthanize a horse, which makes that carcass an environmental hazard. It has to be buried or incinerated, because if wild animals or domestic animals were to consume any of that horse's meat, it would kill them.

There is variation among municipalities and States as to what you can do with your horses after they have been euthanized. Some allow you to bury them, some don't. There are only rendering plants in about 50 percent of the States today, and so that is a limited option. And some of the other options, such as biodigesters or incineration are fairly expensive.

So those are kind of the reason that horses become unusable, unwanted and how we take care of them. Dr. Beaver?

Dr. BEAVER. The only thing I would add is it is often a pony or a horse that is obtained for a child, the child outgrows it, goes on and does other things, has other interests, and the parent is left with it. The parent has no interest in the horse, and over time they try to find a way to get rid of it, and many times you will actually find that these horses are suffering even before they are allowed to be euthanized in one way or another.

The CHAIRMAN. Do some people find it emotionally difficult to make that decision to euthanize the horse on their farm or on their property, and therefore selling the horse through an auction process, which may lead to a slaughter plant, but might also lead to purchase by another horse owner, is that one of the factors that goes into the decision process for people who love horses?

Dr. BEAVER. Absolutely. It can be very emotional making the decision. We also see this with dogs and cats, as many of you are aware, that it is easy to just give them up to a Humane Society and just know that they are going to find a new home, rather than realize that the majority of those animals may, in fact, be put down. So it is kind of a way to get it out—knowing it can happen, but you can put it out of your mind.

The CHAIRMAN. Dr. Beaver, I think it is the AVMA, maybe it is the AAEP, but one of your organizations estimated the number of unwanted horses that will be created if this legislation were to take effect, I think the figure of 272,000 after 6 years.

Dr. BEAVER. There are a number of figures that have been thrown out, but if we look at an estimate of somewhere between 60,000 and 90,000 unwanted horses per year; the number will vary somewhat by year. If you figure that not all of those are going to go into these shelters, that there is a death rate of approximately 10 percent per year, you can find that the numbers of horses is going to increase very dramatically. It would take approximately 15 to 20 years for the numbers to level off.

The CHAIRMAN. And what would they rise to?

Dr. BEAVER. The number would rise to approximately 180,828, and that's assuming that a small percent of those are actually retained in retirement homes.

The CHAIRMAN. Well, that is the purpose of my question. Congressman Stenholm mentioned that the capacity of retirement/sanctuary facilities today is about 6,000 horses. Does anybody have a different figure for that? So we are talking about a difference here between the current capacity of taking care of horses in horse rescue facilities of 6,000 and a need of, by your figure, 172,000?

Dr. BEAVER. It's 180,000.

The CHAIRMAN. I have seen others as high as 200-some thousand, but a difference of a factor of about 30 to 1 in terms of the current capacity to take care of horses, and what need would be generated by the passage of this legislation. Is that correct?

Dr. BEAVER. Correct.

The CHAIRMAN. OK. Thank you.

The gentleman from Minnesota is recognized.

Mr. PETERSON. Thank you, Mr. Chairman.

I admit I haven't had horses since I was a kid on the farm, so I haven't kept up with this, but some of my buddies that are in the horse business in Minnesota tell me that even under the current situation, we have got people that are taking horses out and releasing them because they can't afford to deal with them, whatever. Is that going on now, even without this legislation passing, and to what extent? Whoever could answer that.

Dr. LENZ. There is some of that going on. We hear about it. We were on a BLM roundup a couple of years ago, and an issue that we discussed out there is there are a fair number of horses that are being taken out in the western States and turned loose. I think the people think that they are doing the horse a favor, but usually those horses, because they are not used to that environment and not used to dealing with wild horses, end up starving to death or killed by wild stallions. Occasionally in my part of the country we will see a horse or two turned loose.

One of the bigger problems, and it has something to do with rescue/retirement facilities—there are people in this country that you would call collectors, or hoarders, and they are well intentioned people, frequently love animals, love dogs and cats or love horses, but don't know a lot about taking care of them, and some of the rescue facilities that we see start up are started up by these type of people. They don't know how to take care of the animals, they don't know about proper veterinary care. They do love the animals, and they ultimately end up treating a welfare situation that is much, much worse for the animals.

And so if it comes to pass that we have to increase the number of rescue/retirement facilities, there will have to be some regulation at some level to ensure that they are operated in the best interest of the animals, because today there really are no regulations like that.

Mr. PETERSON. These numbers, the taking care of the animals, \$1,900 a year, \$2,300 or whatever it is, what is the breakdown of that? How much is feed, how much is veterinary care? Does anybody know that information?

Dr. BEAVER. The breakdown on the \$1,800 or approximately \$1,800 a year is basically all care. It does not include veterinary care, it does not include foot care. It is basically for feed, for maintenance of facility to house that animal.

Mr. PETERSON. And somebody has an unwanted animal, and we take an option of them taking it to a processing facility or to an auction that would go to—so basically we force people to maintain these horses. So you are telling me that typically they would not give them veterinary care? I mean, are these horses going to actually be in a situation where they might get fed but if there are problems because of the cost they wouldn't go to a veterinarian? Do you know anything about that, what currently the situation and—

Dr. LENZ. Well, we don't see as much today as we did years ago, but you will see horses in pastures. I have some next door to me and my place that the people—I guess the kids grew up and moved away and they turned the horses out in the pasture, and that is where the horses are. Their feet aren't trimmed, I know they are not vaccinated or de-wormed, and they live or they don't.

It is not fairly common today, but if this type of legislation is passed, it will become common because people will just turn the horses out in their field, if they have a field, and let the horse take care of themselves until they develop some type of disease or colic or die of old age. I think we can expect to see a dramatic rise in that.

Mr. RAMSEY. I would like to add to that also. My wife being a veterinarian, we get a lot of calls day and night with concerned horse owners who have a problem, and will go over the problem on the telephone with my wife, and the issue of cost will arise somewhere in the conversation. And it is very interesting to watch and see how many people, when they realize what she can estimate a cost of helping that horse would be, how many of them opt not to meet her to pursue that care. It is really a scary number.

Mr. PETERSON. Thank you, Mr. Chairman. My time is about expired, so I will yield back.

The CHAIRMAN. I thank the gentleman.

The gentleman from Oklahoma is recognized.

Mr. LUCAS. Thank you, Mr. Chairman, and I guess I direct this question to our old colleague, Representative Stenholm, with lots of his experiences. You know, I think most people agree that we have a problem with unwanted cats and dogs that wind up strays, and they live in dumpsters and here, there and yonder. Can you tell me, Charlie, about the Federal Government's experiences with wild horses and borough programs that might provide some insight into this discussion?

Mr. STENHOLM. Well, as I stated in my written testimony, we now have in BLM supported facilities some 28,000 plus wild horses, of which the Congress has determined that wild horses may not be processed for human consumption, therefore we must provide a home. Many of these horses are in feed lots, which is not the proper environment for a horse that you are concerned about the general welfare, but that is the result of some previous legislation that has been passed here.



The cost of this to the taxpayer is now in excess of \$50 million per year. We know, or at least we are told, that on BLM lands that the capacity is something like 28,000. We know we have 32,000, which means some 4,000 are going to have to be added to the rolls today. As you heard with the private horse sector, we are talking about 90,000 plus. And it could go in excess of that, because the horse population of the United States has increased since 1995 from 6 million to 9 million. And that shows there has been a demand for those horses.

But the BLM is the responsibility of the Congress of the United States, and I would still, as I did when I was sitting where you are sitting, would recommend that we pay a lot more attention to that particular effort as to whether we are providing for the humane treatment of our wild horses.

Mr. LUCAS. One last question. It is my understanding that California has banned horse slaughter, and that the proponents of H.R. 503 claim that there is no increase in abuse, neglect, number of stolen horses are decreased. Would anyone on the panel who would have experience or insight into that offer an opinion about that assessment of the effects of the California ban?

Dr. LENZ. Sure, I would be happy to. You know, in 1998, Proposition 6 was passed by the voters of California to ban horse slaughter or transport to horse slaughter, and the Department of Food and Drug has authority to oversee that, but since then there have been no violations or no citations written because there is no enforcement in place. And so they passed a law, but they have done nothing to enforce it, so they really don't know whether or not anybody is leaving the State, and they also at one time started to inspect horses at the border leaving the State, and they have discontinued that.

And I don't have any hard figures, but talking to horse owners and talking to veterinarians in the State of California, they tell me that the horses continue to move out of that State, as they always have. Nothing has changed at all.

Mr. LUCAS. Thank you. Mr. Chairman, I yield back the remainder of my time, please.

The CHAIRMAN. I thank the gentleman.

The gentleman from Colorado, Mr. Salazar, is recognized.

Mr. SALAZAR. Thank you, Mr. Chairman. I have been a lifelong farmer and rancher, and I still slaughter my own beef and pork, and I like to eat good healthy meat, but I would like to ask for your remarks on this comment. Doesn't this legislation have far overreaching issues that, I as a meat lover, will maybe have to turn into a vegetarian later on in life because you are not going to be allowed to—your own beef or your own pork or whatever on your ranch?

I think this is the real serious issue when it comes to private property, and I would say that the humane way to address horses, and I have had to put horses to sleep when a horse has broken a leg or whatever, but fortunately in Colorado we were able to bury these. I know that close to urban areas you are not allowed to do that.

Could I have your comments on the overreaching legislation, which I think is overreaching, and Congressman Stenholm, could

you also address the issue of how long this type of legislation has been pushed in Congress? You have a lot of experience here.

Mr. STENHOLM. You know, Mr. Salazar, there are those among us that choose not to eat meat, and that is fine. I have no problem with vegetarians, and we have had numerous opportunities to have discussions with them. Another answer I was going to give to Mr. Lucas regarding the wild horses, there are those that believe strongly that we should have no cattle on BLM lands, but only horses, and they make the argument that horses take care of the grass better than cattle. That is their right to believe that.

And I do believe that, based on other efforts and other parts of animal agriculture, that there is among, at least a minority view of this. I would not contend that everyone that is for H.R. 503 believes this. I don't say that. But I do believe that those who have managed to manipulate the story and the media, that is their desire, that we become a vegetarian country. That is a free country, and I respect their right, but we are also a country of majority rule, not minority rule, with strong protection for minority rights, and that is what I believe this committee has stood for in the 26 years I was privileged to sit with you, and what I believe that you are still putting forth with your efforts on defeat of H.R. 503 today.

Mr. SALAZAR. And, sir, how long has this been going on since you have been in Congress? You have a long 30, 40 years here, I guess.

Mr. STENHOLM. Oh, it has been going along way before I got here, because we have always had difference of opinion. That is one of the precious rights of this country, to have differences of opinion and express them. But ultimately the Congress has to come up with what the majority view is, and I have experienced those who believe that we should not use animals in research. I experienced firsthand at Texas Tech University the bitterness, the threatening of life, the ruining of families by those who hold these outrageous beliefs to meat.

But again, that is something that we have got to deal with and deal with in a forthright manner, and that is why a hearing like this, in which you have been able to hear from people in the business, speaking for an overwhelming majority of the horse owners of America, what is the best policy for America. But you will still have minority views.

Mr. SALAZAR. And would somebody else comment? I am an avid hunter as well, and I like to hunt elk and I normally have to butcher the elk. And I wrap it, and I put it in the freezer and I eat elk all winter long. Do you think that if this legislation passes that it will actually, in the future, maybe have limitations on those of us who like to hunt? And how will the Federal Government then be able to manage wildlife herds? Would somebody comment on it?

Mr. BOWMAN. I guess I would like to just maybe make an analogy there. There are some doors that only open one way, and once you cross that threshold, there is no going back. I see this as that type of threshold legislation, pushing us toward that animal rights agenda.

Dr. BEAVER. It has been argued that the horse is not bred for meat production, and therefore, because it isn't a meat animal, we should not allow its slaughter. That same argument, then, can be

made for all the wild game that are hunted, and that imposes other restrictions in the future.

Mr. SALAZAR. Well, I just want to thank all of you for your testimony. It has been something that I can concur with you on, and I can just tell you that I love meat, so——

The CHAIRMAN. We thank the gentleman for sharing that sentiment. The gentleman from Nebraska, Mr. Osborne, is recognized.

Mr. OSBORNE. Thank you, Mr. Chairman, and thank you all for being here today. First question, I guess, has to do mostly with economics, and I would like to ask Congressman Stenholm if he has any idea approximately how many people work in the facilities that would be closed if this bill passes, and what the economic consequence might be from the bill?

Mr. STENHOLM. At the three horse processing plants there are something in excess of 200 employees directly involved in the day-to-day operations. At the Beltex and the Dallas Crown Plant in Texas, up to 28 jobs at American Airlines were once directly related to the exporting of the horsemeat at American Airlines. There are numerous truckers, for example.

One of the things that gets overlooked quite often, and in what I call the misinformation about the trucking of the horses and the condition, the independent truckers that are involved in gathering and delivering the horses are very numerous, and I don't have that number, but we will have it soon, the number of truckers that will be involved, and as they begin to hear that this perhaps is going to become law, you are going to hear a lot from the trucking industry, and it is a major industry of importance to agriculture and to the horse industry.

Mr. OSBORNE. OK, thank you very much. This is a general question for anyone who wants to take a shot at it. Evidently the bill has no mechanism to ensure that horses are not going to be abandoned. I think most everyone agrees that it will result in the abandonment of some horses at least, maybe large numbers, and so what is your estimation as to how these horses will be dealt with, who will be responsible for them, where will the financial burden eventually fall? So anybody that has a thought, I would be glad to hear what your opinion is.

Mr. BOWMAN. I believe that burden will fall back to the State and local governments, very similar to what animal shelters and animal control officers have now. We will see that in park districts and forest preserves, and areas under their jurisdiction. We will also see increases under National Forest personnel, under the rangers throughout the country, as we have heard from the west. We are starting to see that in the Shawnee in southern Illinois and in the Mark Twain in Missouri.

Mr. STENHOLM. Mr. Osborne, I would like to add to that. I think you can draw a conclusion from what happens to unwanted small animals that are released, and who assumes the responsibility. I believe that it is going to soon become evident, and you will begin hearing from your County officials as the potential that the cost will become an unfunded mandate, as someone has to assume the responsibility.

I was amazed at one of the proponents of this legislation suggesting that the Federal Government should pass a law that would

limit or restrict or govern the amount of horses that can be bred so that there would not be a problem. That is one of the suggested solutions out there for it, but I think that each of you, before you cast your vote, and your colleagues that do not have the where-withal to hear what you have heard today, I think it is important that you consider that, because there is going to be a cost. Someone has to assume that responsibility, and if this should become law, these plants cease to exist immediately.

Mr. OSBORNE. Thank you, Mr. Chairman. If there are no other comments, I yield back.

The CHAIRMAN. I thank the gentleman. The gentleman from Iowa, Mr. Boswell, is recognized.

Mr. BOSWELL. Thank you, Mr. Chairman. I think we need to have a little levity here, so I am going to tell you a little quick story. A lot of us up here have had horses all of our lives. I started out preschool with a Shetland pony. Don't ever give a Shetland pony to a kid.

I had to carry the old stone—with burlap on it and I can tell you lots of stories about that, and how unsanitary it was, but my pony was called Sucker because I finally got a sucker and I laid it on the well crib and the rascal ate it. I don't know who was a sucker, him or me for riding this rascal. There were times that I could have probably eliminated him pretty easy. In fact, I had him to school one day and I sold him, and my dad didn't give me a spanking over it, so I felt like I must have done a good thing.

I am ready to vote on this, Mr. Chairman. I think I know what to do. I don't know how much longer we have got to drag this out, but, you know, I think we have had excellent testimony. The industry knows what we need to do. I don't want to take anybody's opportunity to say what they have got to say about it, but I think it is time for action.

The CHAIRMAN. The gentleman's observations are well taken. The gentleman from Alabama is recognized.

Mr. BONNER. Mr. Chairman, thank you for holding this hearing. I was really debating about whether to ask a question, but when my friend and colleague Mr. Boswell made his observations about his Shetland pony, it reminded me about mine.

I had a pony, it was not Trigger, it was Mr. Magoo. That was one of my favorite TV shows. Unfortunately, about a year and a half after owning Mr. Magoo I found out that Mr. Magoo was really Ms. Magoo. But he was so stubborn I had a hard time changing his name.

I would love to ask Mrs. Pate, Mr. Bowman or Mr. Ramsey, or really anyone from the panel, Dr. Beaver made reference to the difficulty and yet sometimes the peace that we have when we have a small animal that we take to a shelter, in our heart of hearts we hope that someone is going to come in and adopt that animal and love that animal and give it the care and concern that we, for whatever reason, are no longer able to do.

But I would love, from the other panelists who have not had a chance to make a second comment, to talk about the difficulty in having to make that decision to put a horse down.

Mrs. PATE. Yes, sir. My family and I are trying to make this difficult decision as a family unit right now. We have a horse that has

become lame, and we can't keep her. We have a small place, we ride all of our horses, we use our horses. We have three horses that will live out their lives in retirement with us. My daughter's horse Painter, I think we paid \$2,500 for, but he is worth a million, and he will live out his life with us.

But when it comes to the choice that we have to make regarding this horse, we are not sure what to do yet. We are exploring all options, but I do know if we do make the decision to send her to slaughter, I am confident in the process. I am confident that there are USDA regulations mandating humane treatment and transportation of her to the facility, and I am absolutely confident with the humane treatment that she would receive at the plant, and to her quick and humane death.

I am very emotional about it because I do love our animals. But I just feel that this is something that, as a private citizen and rancher, that if this option is taken away, it is a personal rights issue, and it will lead to inhumane treatment of animals.

Thank you.

Mr. RAMSEY. I would like to reiterate on that, also. We raise horses, and I think people are unaware of the process it takes to watch a horse be born, to wait 2 years before they are old enough to even begin training, to spend years and years, at that point, making that horse better and better each day, doing our every day job. I have horses that I, unfortunately, spend more time with than some of my family members, and they keep me out of trouble.

I am only as good as my tools, and we invest a lot of time and heart in these horses, and to learn of the news that a horse you have been riding for 6 years needs to be euthanized is an extremely difficult situation, and I don't care who you are, that is hard on you, and that is a lot of time and investment is going to be taken from you, and you don't have a say so in it.

But I will reiterate what Ms. Pate says, that I am very confident that if I can research all of my options, and I decide that a processing plant is my only option, I have no problem pursuing that option, because I am very confident in its ability to take care of something—or an animal that I have spent that much time and effort into. They are truly part of a family.

Mr. BOWMAN. That type of decision is never easy, and it should never become easy, very much like most folks would have dogs or cats or other family pets, if you come to that point in their life where you have to make that decision. That is one of the toughest things you have to do in life. It is very much the same with our friends, our partners, our horses.

Mr. BONNER. Thank you, Mr. Chairman. I just think it is important. I know that the record will record these words, and sometimes it doesn't record the emotion behind them. But I think it is important when—Hollywood sometimes gets out and protestors go on the street and make their statements, and the TV cameras are on what they are saying. I think sometimes we miss an opportunity to see the heartfelt love and passion that all of us who have owned horses have for our horses. They truly are our friend, and I thank the chairman.

The CHAIRMAN. I thank the gentleman.

The gentleman from North Carolina, Mr. Etheridge, is recognized.

Mr. ETHERIDGE. Thank you, Mr. Chairman. Let me say to our folks who testified this morning, thank you. I am not a horse owner. I have never had one. I had a chance to ride one a time or two. We usually had mules, and that was something to work with, but I do have a brother and a son who are avid horse owners, and have several of them. And I thank you very much for your testimony.

Mr. Chairman, I really have no question, but I do thank them for coming and their comments this morning. I yield back.

The CHAIRMAN. I thank the gentleman.

The gentleman from Iowa, Mr. King, is recognized.

Mr. KING. Thank you, Mr. Chairman. I also thank the witnesses. It has been enlightening testimony, a well-balanced one, I believe. We had horses on the place most of the time that I grew up. I married into a horse family, my oldest son married into a horse family. My granddaughter was on a horse before she was a year old.

I appreciate the comments across here about the affinity and the love for horses. The practical application, this is what we are talking about here, and I have got a series of fairly short questions. One of them is what is on the hoof price for a horse that might sell that would go to slaughter? Dr. Lenz?

Dr. LENZ. Well, I have talked to a few of my clients that have sold horses recently, and perhaps someone from the processing business would know better, but they are bringing around \$100 to \$150 per 1,100 horse, which would be an average horse in our part of the county.

Mr. KING. That helps me. Thank you. And then there was a reference made, I think, that culturally we don't eat horses, and I am trying to reconcile that in my mind, that some of these horses are going to be shot on the place, some are going to be drug back over the hill and be consumed by various vultures and other carrion animals, and some will go, then, to protein that we sometimes reference to a dog food plant.

And so I am wondering if the people that are proponents of this bill realize that there will be thousands of pounds of horsemeat that might otherwise go to market and go to Belgium or France or wherever it might be that otherwise goes into the dog food, which would they prefer is one of those concerns. But I would like to add to that question, is there a culture in the United States that exists anywhere where people do consume horsemeat as a matter of habit or practice or culture? Dr. Beaver.

Dr. BEAVER. Americans have eaten horsemeat in the past. During World War II when the shortage meat was being sent to the troops, the folks at home did eat horsemeat. There are certainly a few individuals. There isn't a major culture that—there is, I think, a fallacy about this dog food and horsemeat. Horse tissue, I don't believe goes into dog food at all, not that I am aware of, in normal labeled dog foods in this country. There is some that is used in zoos, but that is also on the decrease. So there really would not be a market. These plants would close, is my understanding.

Mr. KING. Thank you, but I am also aware that there are occasionally horses that go through the sale barn that are purchased

by people of different ethnicities who take those horses back home and slaughter them on their home place for their own consumption. And if we are going to be culturally sensitive and multicultural here in America, one would think we would make accommodations for people that had those kind of values. Would anyone care to comment on that?

Dr. BEAVER. It would be my understanding that this law would not stop that, necessarily, and since it is an individual thing on their individual farm, that they would be able to continue to do that.

Mr. KING. But if they were purchased for human consumption, this law wouldn't prohibit that provided—what are the conditions in the bill?

Dr. BEAVER. Do we always get the true word of what they are going to do with that animal?

Mr. KING. In other words, it would be statutorily prohibited, but not in practicality or functionally prohibited?

Dr. BEAVER. Correct, and if there is no enforcement of it, as has happened with California, who is to stop them from doing it?

Mr. KING. For the sake of missing Charlie on this panel, I would like to ask Mr. Stenholm to comment on that.

Mr. STENHOLM. Yes, there are certain ethnic groups that do slaughter and eat horses as part of their culture. And the bill before us prohibits the transport. I want to make one additional comment to Mr. Bonner's question a moment ago, and the question of a lame horse.

A lame horse may not be transported by a commercial hauler to a processing plant. An individual can bring their horse to a processing plant, and anyone that does not transport more than 20 horses per year is considered an individual. So there are very stringent rules, and you hear so much about the mistreatment of horses in transportation.

But this is part of why I urge caution regarding our trying to impose our beliefs on others, whether it be religious or ethnic beliefs. We usually get in trouble when we do that, and in this case we can probably get in big trouble the same way.

Mr. KING. Thank you, Mr. Stenholm, and thank you, Mr. Chairman. I yield back.

The CHAIRMAN. I thank the gentleman.

The gentlewoman from South Dakota is recognized.

Ms. HERSETH. Thank you, Mr. Chairman. I don't have any questions because my areas of interest have already been pursued by questions already presented to the witnesses, but I do want to commend all of you for your testimony. As all of you have done, and other members of the committee have done, and just sharing a little bit by way of background, how that formulates our perspectives on this very important issue, I grew up on a farm and ranch in northeastern South Dakota in a family who for many years are members of the South Dakota and American Quarter Horse Association. My dad bred quarter horses. I always got the ones that were slow out of the gate to take to horse camp in the summers.

The stallion, Stradivarius, had to be euthanized because of an illness, and is buried in our backyard, although that is the exception. The others were sent out, and I always had a pretty good idea of

what was happening there as a young girl. So I appreciate all your testimony, particularly that of you, Mrs. Pate, for your experiences, as well as a mother, seeing your children enjoying those horses growing up and know that these are difficult decisions.

But I do appreciate the testimony of all of you, and Congressman Stenholm, thank you very much for your hard work on this issue. I yield back.

The CHAIRMAN. I thank the gentlewoman.

The gentleman from Texas, Mr. Conaway, is recognized.

Mr. CONAWAY. Thank you, Mr. Chairman, I appreciate that. Off the subject a little bit, but I would like the record to reflect that any introduction or description of Congressman Charlie Stenholm that doesn't make reference to his long roots in Texas is flawed on its face, so Mr. Stenholm, I am glad you are here today.

I have been hungry in my life, but I have never been hungry enough to eat oysters or horses. That said, how hungry was that first person decided to eat an oyster raw? That said, though, to try to get the controversy going on something else, is there any scientific data that says horsemeat consumed by humans, aside from the issue of just humans eating meat altogether, but is there sound science that says horsemeat is bad for us on its face and that we should restrict the human consumption of horsemeat to protect human health in America? Anybody? Yes, ma'am.

Dr. BEAVER. Any animal tissue going through the USDA inspection, being checked for drug residue as is typical for meat processed in the United States, is safe for human consumption. There is no data that says it is not.

Mr. CONAWAY. So were we to decide this issue in favor of H.R. 503, it would not be based on sound science as to the human consumption of horsemeat?

Dr. BEAVER. That is correct.

Mr. CONAWAY. I want to thank all the witnesses. I have no other questions, other than just to set the record straight, I do own a horse. If you believed in reincarnation, and I don't, you would want to come back as my wife's horse Pete. There was never a horse who was more loved and cared for and cried over when he passed.

He is buried on our place there in Midland, and Poco will live out his life on our property, but he is private property. I have a right to dispose of him within the law. It is private property. If we pass this bill, we have taken a giant step against private property rights in this country, and particularly coming from the majority side of the House, which we pride ourselves in private property rights and personal freedoms, this is a step in the wrong direction.

With that, I yield back. Thank the panel.

The CHAIRMAN. I thank the gentleman.

The gentleman from Kentucky, Mr. Chandler, is recognized.

Mr. CHANDLER. Thank you, Mr. Chairman. I also want to thank all of you for being here today. As I think we all know, it is a very emotional issue for many people. I certainly understand your position, your very strongly held position on this point. I just have a couple of quick questions. The first is could you give me a little bit of an idea about the rendering process, how that works, and the economics of that process?



Dr. LENZ. Well, the rendering is different from what we are talking about here. Rendering is where they take animal carcasses and cook them to a temperature to destroy all the bacteria, and then they use that carcass or byproducts of that carcass for bone meal or meat meal or something. It usually goes back into animal feed.

I know that we only have rendering plants in about half of the States now. When I was a kid, they were everywhere. When I was young, they would pick up your cattle or your horses or whatever and they would leave you some bone meal to pay for it, and then they went to where they would pick them up for free, and now they charge anywhere from \$150 to \$300, depending where you live.

So that industry has changed quite a lot, but I really don't know the economics of how large an industry that is in the country. And they pick up, you know, cattle and swine and poultry and all animals.

Mr. STENHOLM. My information that there are only two rendering plants in Texas today, and they require a fee of \$250 for purposes of picking up and disposing of a horse. And here I would take this opportunity to say for the record, there is no horsemeat that goes into commercial dog food. That is another issue that has been controversial. The dog food industry decided to stop using the horsemeat for dog food in that endeavor.

But rendering is one of the ways of getting rid of an unwanted horse, but it is very costly to the owner.

Mr. CHANDLER. There is still a price associated with the rendering process to the owner of the horse?

Mr. STENHOLM. In most cases.

Mr. CHANDLER. OK, thank you. Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman from Indiana, Mr. Sodrel, is recognized.

Mr. SODREL. Thank you, Mr. Chairman. I would like to thank all the witnesses. I think they have been very articulate and informative, and I appreciate you coming here today. In the interest of time, I will yield back my time.

The CHAIRMAN. I thank the gentleman.

The gentleman from North Carolina, Mr. McIntyre, is recognized.

Mr. MCINTYRE. Thank you very much for your testimony today. It has been very enlightening, and, Mr. Chairman, no questions.

The CHAIRMAN. I thank the gentleman.

The gentleman from Texas, Mr. Cuellar, is recognized.

Mr. CUELLAR. Thank you, Mr. Chairman. Just a quick comment and a quick question. Also I want to thank the witnesses here—Dr. Beaver and of course Charlie also. I thank all of you for being here.

I think the question is worth repeating. Charlie, if you don't mind me asking you this question. The Federal Government is going to look at, I think your testimony was that it would—for the managing of the wild horses that we have right now, it is about \$39 million.

If we adopt this bill, you are saying that it will probably cost us in the hundreds of millions of dollars, is that correct? Could you just elaborate, because I know when you were a blue dog Democrat we were always talking about the deficit, we were talking about spending. Could you just elaborate what the current status is and

what you estimate this will cost us as taxpayers? And again, I am a big believer of private property rights, but I would like for you to just answer this particular point.

Mr. STENHOLM. Well, you have to make certain assumptions, and right now we know that there are facilities that the best estimates that we have been able to come up with have the capacity for 6,000 unwanted horses, and they are full. And the cost associated with that, as you have heard, is estimated at \$1,800, give or take, depending on the facility, but probably in excess of that.

You have to assume, I would think, as a Member of Congress, that if you abolish this option of processing, that something has to happen to that additional 90, and some estimates now up to as many as 120,000 next year, but these are all estimates. Someone has to assume the responsibility.

Proponents, as I have stated, are suggesting that ought to be the horse owner's responsibility. This goes back to Mr. Conaway's point, one that we make, and you just made, and that is private property rights. Is Congress, by enacting H.R. 503, going to dictate that horse owners shall pay for the disposal through rendering, in which it may not even be available?

Mr. CUELLAR. Right.

Mr. STENHOLM. How many, as you have heard Dr. Beaver talk about, the numbers of horse facilities that would be required to assume the care of this many? These are all assumptions, which it seems to me is on the very, very strong side of irresponsibility on the part of Congress to pass a law without answering those questions.

Then what you have, as you have heard today from the horse industry, the overwhelming majority believe that it is not something that they say should be the answer, but you have to maintain processing for the industry if you are going to minimize the cost and maximize the value to horse owners, which is extremely important since most horse owners are what we call middle income horse owners, that do not have the opportunity and the wherewithal that some of the race horse type folks would have.

There is room for all, and there is division of opinion among all, but that is something that we hope you will take into consideration.

Mr. CUELLAR. Thank you, sir. Thank you, Mr. Chairman.

The CHAIRMAN. I thank the gentleman.

The gentleman from Michigan, Mr. Schwarz, is recognized.

Mr. SCHWARZ. Very briefly, for Dr. Beaver or Dr. Lenz, which ultra-fast acting biomateriate do you use to euthanize a horse?

Dr. BEAVER. It is usually sodium pentobarbital.

Mr. SCHWARZ. In a very large dose.

Dr. BEAVER. It is a very large dose.

Mr. SCHWARZ. Enough to kill a horse, as they once said.

Dr. BEAVER. Enough to kill a horse.

Mr. SCHWARZ. Dr. Boustany and I, and I am a physician as well, we understand what that will do. But the follow-up to that, as you said, if you do that, there are some States or some jurisdictions where you then cannot bury the animal?

Dr. BEAVER. There are some jurisdictions that you cannot bury the animal, irregardless of how it is destroyed.

Mr. SCHWARZ. But does it have to do with the agent that you use to euthanize?

Dr. BEAVER. No. In fact, the concern is if you do use barbiturate for euthanasia, then that carcass is now contaminated and a danger to scavenger animals. So preference would be either incineration or burial so scavengers would not have access to that.

Mr. SCHWARZ. I could go a little ways with that, too. You walk around with, you know, half-high scavenger animals for a while from eating meat from an animal that had been euthanized with pentothal, but I was just trying to trace the logic of that. I mean, I see what the law reads and says, and I guess it is all right. It seems a little illogical to me.

Dr. LENZ. There are landfills who will not accept horses that have been euthanized with sodium pentobarbital.

Mr. SCHWARZ. Landfills won't?

Dr. LENZ. Right. I have had clients whose dogs have died after they had eaten a carcass that was euthanized.

Mr. SCHWARZ. Is that true? I will be darned.

Dr. LENZ. Yes.

Mr. SCHWARZ. Thank you very much. I am learning a few more things about large doses of pentothal that Dr. Boustany and I don't use at our practices.

Dr. LENZ. Well, it tends to concentrate in the liver and the lungs, and if a dog were to eat the liver of a horse, it would be a fatal dose.

Mr. SCHWARZ. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. I thank the gentleman.

The gentleman from Louisiana, Mr. Melancon, is recognized.

Mr. MELANCON. I don't have any questions, plus I think everybody is——

The CHAIRMAN. And I thank the gentleman.

The gentleman from Louisiana, Mr. Boustany, is recognized.

Mr. BOUSTANY. Thank you, Mr. Chairman. I have no questions, and I yield back my time.

The CHAIRMAN. The gentleman from Washington, Mr. Larsen, is recognized.

Mr. LARSEN. No questions, Mr. Chairman. Thank you.

The CHAIRMAN. I believe that concludes the questioning by all the Members present who sought recognition to ask a question, so I am going to thank this panel again for a very outstanding job in answering all of these difficult questions and in dealing with this very emotional issue from a very factual standpoint.

I thank you all, and we will excuse you at this time.

Let me advise all the members that we are going to conclude the hearing and then go directly to a markup on this legislation, as previously noticed.

Without objection, the record of today's hearing will remain open for 10 days to receive additional material and supplementary written responses from witnesses to any question posed by a member of the panel. This hearing of the House Committee on Agriculture is adjourned.

[Whereupon, at 11:30 a.m., the committee proceeded to other business.]

[Material submitted for inclusion in the record follows:]

## STATEMENT OF TAMMY PATE

Mr. Chairman and members of the committee, good afternoon my name is Tammy Pate, and I am a lifelong horsewoman, cowgirl, horse breeder and trainer, but most importantly I am a horse lover. As a matter of fact, I'm not unlike the majority of people who own horses in this country—a woman with a family who owns horses whose average market value is less than \$5,000. It's the level at which I can afford to own and be active.

I am here today on behalf of the American Quarter Horse Association and all responsible horse owners. I am proud to be a member of the American Quarter Horse Association and an owner of American Quarter Horses—a breed that is widely considered to be the most versatile in the world. The breed excels in many different activities and American Quarter Horses are owned by children, moms and dads, 4-H members and people from nearly every walk of life and economic background.

AQHA encourages responsible breeding practices through many programs and helps educate its members to be responsible horse owners. AQHA is the only breed association in the industry to have a breeder referral program whose members practice responsible breeding, abide by a code of ethics, are screened by AQHA and assist people who want to own horses. The nearly 400 members of the breeder referral program are overseen by a committee of members who are all American Quarter Horse breeders.

I started riding before I could walk, and I rode my horse, a pony, at age three. As I said, I love horses and am indebted to them for the confidence and joy they have provided to me and now my own family.

Today, my family starts colts and together we conduct clinics around the country educating the public on low stress horsemanship and livestock handling. My husband, Curt and I along with our two children live on a small horse property in Helena, Montana, and we spend a lot of time with our animals. I hope one day you will meet Curt. He is the most compassionate horseman I have ever known, and throughout my life, I have come to know and appreciate many of them.

Curt is a member of AQHA's Association of Professional Horsemen and is currently touring the country on behalf of AQHA conducting clinics on starting horses and being a responsible owner. AQHA's Association of Professional Horsemen, which has 791 U.S. members, is the only such program of its type in the industry and its members are available to help owners with any riding discipline or with training their horses. These professional men and women are screened and selected by AQHA and a committee of their peers, and represent the quality and dedication that is worthy of their profession. Like the breeder referral program, each professional is required to abide by a Code of Ethics.

Curt and I do not support H.R. 503—the American Horse Slaughter Prevention Act. As horse lovers, neither Curt nor I would ever want to see a horse mistreated, neglected or starved—gentle handling of horses and low stress horsemanship is something we teach daily. Our method involves teaching people how to understand a horse's natural instincts, develop a relationship and communicate better based on that understanding.

Currently, H.R. 503 does nothing to address what would happen to those unwanted or unusable horses that normally would be humanely euthanized at one of the U.S.'s three slaughter plants.

In preparation for this testimony, I have seen reports and read where people—animal rights activists—have exaggerated and painted a gruesome, shocking and horrible death that horses at slaughter plants endure. These include videos that are old and not identified as to origin. In addition, there has been testimony based on visits that occurred at least 10 years ago to processing plants that are no longer open. These visits also occurred prior to the adoption of USDA regulations governing the transport to and treatment of horses at processing plants.

On our ranch, we have slaughtered animals, primarily cattle, and we are grateful to have that right. Slaughtering any animal isn't something many people like to think about, much less talk about. But to characterize it the way in which it has been by the proponents of this bill is inaccurate and only meant to inflame and lead you to draw the wrong conclusions. Slaughter by its very nature might not be a pleasant topic, but in some cases, sending a horse to be humanely euthanized at a processing facility is the right thing to do. As much as I love horses, I understand and accept that not all horses are alike and that over time some can become unruly, dangerous, infirm or their owners for whatever reasons can no longer use them. I am experiencing this firsthand.

While Curt and I always hope that none of our horses will ever have to be sent to a slaughter facility, we also recognize that our circumstances are very different from those asking you to ban slaughter in the United States. We differ economically,

and we own a small ranch and are committed to environmentally conscience ranching practices. We currently own a horse, who if allowed to live, will likely only endure a life of pain and suffering. We are exploring all available options and it may be best for her to end her life at a processing facility. For sure, this is not an easy decision and, as advocates of the horse, my family and I still struggle with this decision. In the long run, however, we both recognize that good judgment and sound reasoning must win out over sensationalism and emotion. Above all, we want to be responsible horse owners who use common sense. Breeding this mare or passing her problems along to others is not being a responsible breeder or horse owner.

The option of sending a horse for processing at one of the U.S.'s three plants must remain available to those who need it so long as measures ensuring humane transportation and treatment of horses are in place. Thanks to this committee, those guidelines exist today.

I also have heard many people talk about their horses being pets. Everyday, I experience what horses do for people. They do amazing things for us. However, horses are livestock, they are not pets. If some cultures consume horses, it is their right to do so. Just because we do not do this in the United States, it is not up to us to dictate what our global neighbors choose to eat. I don't believe, though, that H.R. 503 should be about human consumption of horsemeat. It should be about doing what is in the best interest for America's unwanted horses. Banning this option is not doing what is best for the horse.

Living in Montana, I can tell you how sad and unfortunate it is when un-adoptable wild horses are condemned to live out the remainder of their lives in a feedlot. Quality of life should be an issue. I also can tell you how much it costs to care for horses and the financial burden this ban would create. It is very reasonable to expect that a portion of these unwanted horses—those that go to slaughter—will be abandoned. Perhaps not here in the middle of Washington, DC, but on the plains of Montana and in other locations too numerous to mention, we will see it happen.

Another expectation is that some unwanted and unusable horses will be sent to Mexico or other countries outside the USDA's or Department of Agriculture's jurisdiction. Other countries don't have transportation and treatment guidelines in place the way we do here. At least in the United States, we protect the dignity of even the most unwanted or unusable horse by enforcing laws concerning care at slaughter facilities. Once an animal is taken outside of our borders, we lose this option.

Over the years, I have had many horses. I have loved each of them and thanks to my grandparents, parents, husband and now children; I have so far lived a life fulfilled thanks to our horses. I always dread the day when I must make the most difficult decision ever—what to do when it comes time to end one of my horse's lives. I support horse processing as an option for owners and encourage this committee to please do the same. As simply and plainly as I can tell you, sometimes it is the best option for these horses.

Thank you for your time today.

---

#### STATEMENT OF THOMAS R. LENZ, D.V.M., M.S.

Chairman Goodlatte and distinguished members of the committee, thank you for the opportunity to appear before you today. My name is Dr. Tom Lenz, from Louisburg, Kansas, and I have been an equine veterinarian for over 30 years. I am not only a horse veterinarian, but an avid horseman who has owned and enjoyed horses my entire life.

My official role today is as past president of the American Association of Equine Practitioners and the current chairman of the AAEP's Equine Welfare Committee. The AAEP is a professional association that represents more than 9,000 equine veterinarians and veterinary students worldwide with a mission of protecting the health and welfare of the horse. In addition to serving as chairman of the association's Equine Welfare Committee, I also serve on the welfare advisory committees of the American Veterinary Medical Association, the Professional Rodeo Cowboys Association, and the American Horse Council.

I am here today to explain to the Committee why the majority of horse veterinarians in this country oppose H.R. 503. My two key points today are the following:

- First, this bill will negatively impact the health and welfare of horses across the country, and offers no solution to the current problem of what to do with horses that are no longer needed or useful to their owners.
- Second, horses processed at USDA-regulated facilities under the supervision of Federal veterinarians are treated with dignity and euthanized humanely.

In 2005, according to USDA statistics, nearly 100,000 U.S. horses were sent to processing plants in the United States, Canada and Mexico. The vast majority of

those horses were no longer useful or of value to their owners—they were unwanted. A horse can become unwanted because it has failed to meet its owners' expectations because of old age, poor performance or lameness; it may be dangerous and present a risk to its handlers; or its owners may no longer be capable of providing physical or financial care. These are usually the lowest valued horses in the industry and bring only a few hundred dollars at sale compared to the national average selling price for a horse of \$3,100. An animal that is unwanted becomes at risk for neglect and abuse, whether intentional or not.

One of the most detrimental aspects of H.R. 503, from an equine welfare standpoint, is the bill's failure to address how and where unwanted horses will be cared for if horse processing is banned. If H.R. 503 is passed, nearly 100,000 horses next year will need to be placed in alternative homes, or be euthanized if their carcass disposed of. And that number will repeat each year, as additional horses grow old, encounter health problems, or are no longer wanted. There are a number of equine rescue and retirement facilities in the U.S. providing homes for old and unwanted horses, and we commend their work. However, the capacity of these individual facilities is usually limited to 30 horses or less. We estimate that current rescue/retirement facilities in the U.S. can handle no more than 6,000 horses per year. What will happen to the rest? Based on the number of unwanted horses that would need placement after a processing ban, there are clearly not enough volunteers or placement opportunities available to meet the dramatic increase in horses requiring permanent care that H.R. 503 will create. Most local humane shelters do not possess the funding, infrastructure, or facilities to rescue and house neglected or abandoned horses.

Additionally, H.R. 503 does not address the funding required to care for or dispose of an additional 100,000 horses per year. Assuming a bare minimum care cost of \$5 per day for a horse's basic needs, not including veterinary or farrier expenses, the funding needed per year, per horse, is approximately \$1,825. That translates to around 180 million dollars to care for these animals next year or nearly 20 million dollars to euthanize and dispose of their carcasses. And that cost will increase incrementally each year as additional horses become old or unwanted. H.R. 503 offers no solutions for where the money will come from to defray these costs. Inadequate funding creates inadequate care, which is a significant welfare concern for these horses.

A final welfare concern for these horses is the fact that a ban on horse processing in the United States does not mean a ban on horse processing in our neighboring countries. H.R. 503 does nothing to prevent U.S. horses from being shipped out of the country and ultimately to a processing facility. The shipment of U.S. horses to foreign countries presents a number of serious welfare concerns. Horses will be on transport vehicles for much longer periods of time traveling to foreign destination points without the protection of APHIS oversight. More importantly, USDA humane transport to slaughter regulations and oversight do not apply to foreign plants. Nor will USDA veterinarians be on site at the foreign plants to ensure proper handling of the horses and their humane euthanasia.

With a lack of adequate placement opportunities, no funding for long-term care and no mechanism to stop the transport of horses outside the U.S. to processing plants in other countries, H.R. 503 will increase the suffering of American horses, not stop it. Many horse owners, unable to sell their low-value horses, will neglect, abuse or abandon them.

My second point is that horse processing at a USDA-regulated facility is a humane, painless method of euthanasia for the horse. In July of 2002, several members of the AAEP leadership, including myself, visited the Beltex plant in Texas to view the euthanasia process firsthand. Two USDA veterinarians were on-site to inspect the horses following transport, their transportation/health documents, and to oversee the humane treatment of the animals throughout the process. During our visit, we witnessed a professionally run operation that treated horses with dignity and euthanized them humanely. The horses were handled calmly and were neither frightened nor abused as depicted on videos provided by proponents of this bill. In addition, brand inspectors were present when horses were unloaded to ensure that none of them had been stolen.

The euthanasia method that is used at the processing facilities is captive bolt, which renders the animal instantaneously unconscious and brain dead. The American Veterinary Medical Association's Panel on Euthanasia deemed this as one of the two preferred humane forms of euthanasia for a horse. I know Dr. Bonnie Beaver of the American Veterinary Medical Association will address the process of captive bolt euthanasia for the Committee, so I will not expand upon the process. However, I want to stress to the Committee that if a horse owner is unable or unwilling to provide adequate care for their horse, humane euthanasia by captive bolt at a

USDA-regulated facility is an acceptable alternative to a life of suffering, inadequate care or abandonment.

In closing, I want to state that the AAEP does not favor processing as a way of dealing with the unwanted horses, but is an acceptable option until the horse industry can develop an effective plan for dealing with horses that are no longer useful or wanted. We believe that the equine industry must work together to help these animals through education and encouraging responsible horse ownership. That is why the Unwanted Horse Coalition was formed in 2005 by the AAEP, and is now operating as part of the American Horse Council to address and resolve the problem of what to do with horses that are no longer useful or wanted. Society has been working on solving a similar problem with dogs and cats for years and yet we still euthanize nearly 3 million animals each year at humane shelter. Solving this issue in the horse will take time, but the industry has deemed it a priority and is working to solve it. That is why it is premature to ban the humane euthanasia of horses at a processing facility. H.R. 503 will compound the problems of unwanted horses by banning one of the current mechanisms to humanely remove these horses from the horse population. Most of the people supporting this bill are well intentioned, but ill informed about the consequences of this legislation. They are motivated by emotion and not fact. We, the horse veterinarians of this country, are on the front line in reducing pain and suffering in our horses and we know that passage of this bill will offer no solutions to the problem of the unwanted horses, but will in fact create more welfare problems. This bill will have a serious negative effect on the health and welfare of tens of thousands of horses in the United States. Thank you

---

#### STATEMENT OF BONNIE V. BEAVER, DVM, MS

- The AVMA opposes H.R. 503, The American Horse Slaughter Prevention Act.
- H.R. 503 fails to adequately address the unintended consequences of imposing a ban on the processing of horses.
- The Penetrating Captive Bolt causes instantaneous death and is an acceptable form of euthanasia for horses.
- Transportation of Horses to Slaughter is highly regulated by the USDA. The transportation guidelines were developed with input from the AVMA, AAEP, other horse groups, the Humane Society of the United States, and other animal protection groups.
- Welfare is the biggest concern of the AVMA for those horses that would be impacted by a ban on horse slaughter.
- There are not enough rescue and retirement facilities, and these facilities are not regulated so there is no way to ensure that the horses would get adequate care.
- The legislation does not address the financial support required to care for the horses given up by their owners.
- The legislation does not address the disposal of over 90,000 horse carcasses if horse slaughter is banned.

Distinguished Members of Congress, my name is Bonnie Beaver and I am a past president of the American Veterinary Medical Association. I am here to explain why the AVMA opposes H.R. 503—The American Horse Slaughter Prevention Act.

I have provided you with my professional credentials, but I also want to briefly mention my involvement with horses. As a child, Roy Rogers was my hero and I named my first horse Trigger. Horses were my passion, and had much to do with why I became a veterinarian. They remain my passion, and that is why I am appearing before you today.

I strongly support the AVMA's opposition to H.R. 503 because the bill does not adequately address certain issues that are critically important to ensuring the welfare of horses that would be affected by it. We are also concerned that incorrect information has been circulated regarding what euthanasia techniques are appropriate for horses.

First, let me correct a few misconceptions regarding the handling and euthanasia of horses. The AVMA convened a panel of experts, veterinarians and scientists, which I chaired, to evaluate what was known about chemical and physical euthanasia methods. In that panel's report, a copy of which has been provided for the record, euthanasia is defined as a "humane death" in which unconsciousness is rapid and followed by the cessation of vital functions. The report of the AVMA Panel on Euthanasia recommends two types of euthanasia for horses—an overdose of barbiturate anesthetic and the use of a penetrating captive bolt with appropriate head restraint. The penetrating captive bolt is NOT a stun gun. It causes instantaneous death due to the destruction of brain tissue. Let me repeat—instantaneous death. Statements contained in the panel's report about the importance of appropriate

head restraint do not mean that the horse's head must be completely immobilized, but instead that it should be in a position to allow skin contact with the penetrating captive-bolt. Involuntary movements after brain death are common in horses undergoing euthanasia, and are often misinterpreted as struggling by those without a clear understanding of the process. Although such movements may be discomforting for the people who are watching, such movements are not and should not be interpreted as an indication that a horse is experiencing distress.

It has also been incorrectly stated that horses entering restraint boxes prior to application of the penetrating captive bolt invariably panic. In fact, states of excitement or panic in horses can result in injury to both the horse and people nearby, so this is something those involved with the horse slaughter process work very hard to prevent. Instead, and as required by USDA regulations, experienced individuals handle the horse appropriately and quietly; this allows the horse to enter the restraint box without injury. Once confined, horses become passive because they recognize that their instinctive ability to flee has been thwarted.

Second, we understand that supporters of H.R. 503 contend that methods used to transport horses to slaughter plants are inhumane. I will take this opportunity to remind you that current USDA regulations on the transport of horses to slaughter, which we have included for the written record, were developed and implemented with significant input from the AVMA, the American Association of Equine Practitioners, other horse-related groups and humane organizations. Among the humane organizations involved were the Humane Society of the United States and several other of the advocacy groups that are currently arguing against these regulations. We have yet to receive a satisfactory response from these groups about why they now object to the very regulations they helped draft.

Third, and foremost, the welfare of the horses that would be impacted by a ban on slaughter is the biggest concern of the AVMA. Currently, horse rescue and retirement facilities in the United States have a maximum capacity of about 6000 horses. It would be a daunting, and probably impossible, task to create facilities that could house an additional 10 times that number of horses every year. Creating these facilities and properly caring for each horse in them costs money. As shown in the Horse Welfare Coalition Fiscal Impact document, which has been included for the record, and as we have already experienced in the process of trying to manage wild Mustangs in the western United States, cumulative costs incurred for the care of a large number of horses are high. The American Horse Slaughter Prevention Act does not provide the financial support required to ensure that horses given up by their owners will be adequately cared for, and inadequate funding has a huge potential to create opportunities for inadequate care. Watching a horse slowly die from starvation or disease is not only distressing, it's cruel. Furthermore, horse retirement facilities and sanctuaries are not regulated so there is no way to ensure the horses living there will receive adequate care.

Finally, disposing of the carcasses of euthanatized horses can be expensive and creates wildlife and environmental concerns. Euthanasia, carcass removal, and burial are each expensive, and cremation can cost as much as \$1500. Scavenger species can be killed by chemical agents in discarded tissues. Burial is not permitted in many areas, and chemicals can contaminate the soil. Other disposal methods, such as biodigestors, show promise but are not yet readily available. The AVMA is concerned that H.R. 503, although a well-intended effort, will have serious negative consequences for the welfare of unwanted horses. The people supporting this bill fail to take into account the ramifications of its passage. They are making this into an emotionally charged issue instead of offering solutions to the problem of unwanted horses, and are potentially creating more welfare and environmental concerns in the process. We ask that you please do what is right for the horses' welfare and not support H.R. 503.

Thank you.

---

#### STATEMENT OF HON. CHARLES W. STENHOLM

The U.S. horse industry is of major significance to the economy contributing over \$40 billion to the GDP. It not only is big business but also provides enormous pleasure for millions of adults and children alike. Through 4-H, FFA, and numerous breed horse councils, children are taught how to care for their animals. In fact it is the rare exception when animals are mistreated. But it, unfortunately, does happen. Horses that go to processing plants are protected by law as no other species are. There is no incentive for the plants to mistreat the horse because it costs money.



Banning horse slaughter is very appealing to some as is banning the slaughter of beef, hogs, sheep, chickens, fish—anything alive. But if you eat meat, something has to die. From the Bible to modern custom, the majority have eaten meat. Some ethnic and religious groups have different customs, and we are taught to respect different views. In our country, the overwhelming majority approve of eating meat.

In the United States, there are some aspects of meat consumption for which there is overwhelming agreement. The animals that give up their lives for our sustenance should be humanely treated until and when they are euthanized before processing.

There are two accepted methods of euthanasia for horses:

1. Overdose of a barbiturate, or
2. Gunshot or penetrating captive bolt.

Now we proceed to another area of some differences of opinion. What should happen to a horse after it has been killed/euthanized? Should it be buried, rendered, or consumed? Here we come to a fundamental, constitutionally protected right. Owners of horses are protected under the Constitution as to the disposal of their property. If you wish to receive value for your horse you may choose processing. If you wish to assume the cost of burying or rendering that is your right. But then there is another option touted by some—rescue/adoption/retirement. That, too, is your right. For a few horse owners, this is a good option. But for most it is not because of cost. Currently the taxpayer cost of maintaining our wild horse surplus population is \$39 million per year on 28,000 head to which we are adding 2,000 to 4,000 per year. Who will assume the cost of adoption for another 60,000 to 90,000 unwanted horses per year? If H.R. 503 should become law, the 109th Congress will assume that responsibility. Do the math. The cost to the taxpayer will quickly reach hundreds of millions of dollars per year and increase every year thereafter—even if we are able to adopt some of them out.

We live under the general concept of majority rule with strong minority protections. I think we are getting on very thin ice when we begin to tell other people of the world what they should eat. The world consumes over 4.7 million horses per year.

Some countries do not eat beef. Some do not eat pork. This is commonly called freedom of choice. In some cases, freedom of religion is more relevant. When we, by law, tell others what they may eat, we have to ask, are we next?

Now let's look at the tenor of the debate. Proponents of H.R. 503 continue to mislead the general public about how horses are processed. Having visited two of our three plants let me say unequivocally horses do not arrive in poor condition. They are inspected by USDA veterinarians for soundness and signs of mistreatment. They are housed in covered receiving areas with feed and water. They move quietly down a narrow chute where they are euthanized. They are dead instantly by penetrating bolt. Having toured many processing plants, I can honestly and sincerely state our horse plants do as good a job as humanly possible in following not only the letter but the spirit of the law.

Horse processing is an integral part of the horse industry. Processing sets the floor price for the value of a horse. A floor price is of major importance to middle income horse owners, and small businesses, but obviously of lesser importance to upper income horse owners. The value of the horse in processing is very important to middle income horse owners. The cost of euthanasia and disposal \$200 to \$2,000 is no small matter. Taking your horse to an auction market where you will receive the benefit of competitive bidding for maximum value of your horse is an option that must be protected.

Let's examine some of the suggested solutions to unwanted horses by proponents of H.R. 503.

Rescue Facilities. Current capacity 6,000. Full estimated cost of operation \$1,800/year per horse. Annual cost \$10,800,000. Add to this the cost of the BLM wild horses of 28,000 @ \$1,800/yr = \$50 million plus, which taxpayers are already paying.

Add 90,000 @ \$1,800 = \$162,200,000 the first year, 5 year estimated cost over \$800 million.

Who pays! The taxpayer? Private funds? Even the HSUS budget will not cover this cost and they have not offered.

One suggestion offered by the proponents is for Federal controls on horse breeders, limiting the number of horses that can be bred or shifting the cost to the owner.

The question to be asked is what if no one is willing to pay the cost. 90,000 unwanted horses become an unfounded mandate on local governments and local law enforcement. It will be the height of irresponsibility to vote for H.R. 503 without addressing these questions.

While this can be interpreted as a perfectly sound free enterprise solution, it is valid only if you continue the option of processing for those same owners. Owners of horses who do not oppose processing, which evidence shows to be the overwhelm-

ing majority, do not object to any horse owner who wishes to care for their horse throughout its life, disposing of it in anyway they see fit humanely.

Private property rights are important to most Americans. No horse should go to processing over the owner's objection. But if a horse owner does not object to processing, why deny him/her that right. I submit that all 300 million Americans have a right to ask for humane treatment for all animals including horses, but we do not have the right to fundamentally change an industry because of the views of a few. And we most assuredly do not have the right to abolish an industry with no compensation for the taking, which most assuredly includes the value of all horses, the value of which will decline if the processing floor price option is removed by passing H.R. 503.

Proponents of H.R. 503 make an issue of foreign owners. When you have a Toyota plant in your State or district, do you object to the jobs it brings? If not, isn't that the height of hypocrisy?

Proponents of H.R. 503 make an issue that our horses go for foreign consumption. The U.S. is about to become a net food importer. Our horse industry will provide a net trade surplus this year in excess of \$50 million. The world will consume 4.7 million horses this year. In America we choose what we want to eat. So does the rest of the world. I see nothing wrong with that. We seem to get in trouble every time we try to impose our wishes on someone else—which is exactly what proponents of H.R. 503 are doing.

Regarding the charge that horse owners who sell at auction do not know that their horse may go to processing. Simply put—when you sell anything you give up title to that property. If you do not wish your horse to be processed into meat for human consumption, do not sell it. Our livestock auctions do a great job of providing sellers the opportunity to receive maximum value from competitive buyers. Horses of value beyond processing bring much more money than those who go to slaughter. But the floor is set by processed market. Everyone in the horse business knows that. That is why the overwhelming majority oppose H.R. 503.

In conclusion, let me restate the obvious. H.R. 503 is the most important vote you will cast pertaining to the livestock industry and agriculture in general. It has broad ramifications for the 2007 farm bill. If it should pass, the budget implications are tremendous—over \$1 billion a year over the next 5 years. Or, if you say the taxpayers are under no obligation to pay for someone else's property, then how do you rationalize taking away the private property rights of the majority of horse owners who do not object to their horse going for human consumption for value? Let state as plainly as I know how. Proponents of H.R. 503 have used inflammatory, untrue rhetoric about how horses are slaughtered. To the uninformed public, they have been successful—including many in the media.

Let me be clear. If you are a horse owner and you do not wish for your horse to be processed for human consumption, I am for protecting you and your horse from processing for human consumption. But if you are a horse owner and do not object to your horse being processed for human consumption, I am for you. It is called private property rights. If you are not a horse owner, I support your right to call for the humane treatment of horses in the ownership, raising, transporting, and processing that is carried out under the supervision of USDA.

Defeat H.R. 503.

---

Mr. Chairman, members of the committee, my name is Paxton Ramsey, and I am a rancher and horseman from Devers, Texas. It is my pleasure to have the opportunity to be here today to talk about HR 503.

As a rancher and horseman, I am extremely concerned that we are sitting here today talking about this issue. Horses have been an important part of ranching and have helped us to work our cattle and build the U.S. cattle industry into what it is today. These animals are my tools and companions, and as such, I treat them humanely and give them the proper care and attention they deserve. I am not alone in this respect, but I am also practical. Some horses are unruly and unmanageable, become lame or sick, and are no longer able to be used as they once were. These are only some of the reasons that a horse may be unwanted, but regardless of the reason, they have to be dealt with.

One thing we have to keep first and foremost in our minds is that the processing of horses is just one of many different management options for horses. Others include adoption, rehabilitation, donation, and private purchase. Contrary to popular belief, there is not a group of thieves running around with black horse trailers, stealing horses, and taking them to slaughter in the dead of the night. On the contrary, these processing plants are regulated by USDA and in the case of my home state of Texas, brand inspectors are on hand to ensure that the horses are not stolen.

I am afraid that the elimination of processing as a management option poses a risk to horse welfare. Some owners of unwanted horses want to recapture some value out of their animal. Without the ability to recapture value out of a horse at auction, it is expected that some owners will not spend money to have animals euthanized and taken to a renderer. This means that unwanted horses could be neglected or abandoned, and those that are sick or infirmed could be forced to suffer from discomfort and pain, while the healthier ones will starve to death. Both starvation and a life of pain are much worse treatment than humane euthanasia at processing.

You have heard the horse welfare and veterinary experts on this panel today talk about their concerns on how to address the 70,000 horses that will have to be taken care of, the costs related to this care, the unintended mistreatment of these animals in non-regulated rescue facilities, and the environmental concerns of disposing of the carcasses. We agree with these concerns because HR 503 fails to address any of these issues. My biggest concern, however, as both a horseman and rancher, is the dangerous fact that this bill is based only on emotion.

The groups supporting HR 503 have had to resort to playing on peoples' emotions because they know that they have no factual basis to ban the processing of horses. Horse processing is regulated by USDA under the Humane Slaughter Act, and faces all of the scrutiny and inspections that other livestock slaughter plants do. The overall thought of horses being processed for food is not appetizing, but the process is not inhumane. Leaving the law in the hands of emotion is a slippery slope, and one that will affect all of agriculture. It is no secret that groups such as PETA and the Humane Society of the U.S. have made it their goal to end the consumption of meat and put animal agriculture out of

business. These goals are based on emotion and personal opinion, but not on science or sound animal production methods. HR 503 is exactly the same. It is legislating based on emotion, and the very fact that so much has been made of this bill has given these animal activist groups a cause to get behind, as well as helping them to raise money to increase their fights. If the House passes this legislation, we will be handing these activists exactly what they want, we will bolster their fundraising, and give them the precedent to come after all of animal agriculture. Many have said that this is not the case and the only issue here is horses. To not understand that this is a victory for the activists is blind and sets us up for even more fights as the Farm Bill approaches.

There are many cultures and groups around the world and in this country that don't care for the processing of cattle for beef. They have every right to their beliefs, but that emotion alone is not just cause to outlaw the processing of cattle. However, if HR 503 passes, that is exactly the ammunition that Congress will be giving the activists. Emotion should never be the basis of legislation because it will only result in bad laws. Emotion was one of the drivers of Prohibition, and we all know the mess that resulted in. Legislation should be based on sound science and fact. Emotion is what has brought us here, and I only ask that this Committee do its part to see that it goes no further.

Not only is emotion a terrible way to approach legislation, it is even more concerning when it affects private property. My horses are my property, just like my land, house, truck, and equipment. For Congress to regulate how I manage my property through a law based on emotion is unacceptable. I, along with the majority of ranchers in this country take excellent care of our animals. It is our responsibility as owners to make sure that they are cared for. I firmly believe that it is Congress' place to put into effect laws that regulate the care and penalize those who abuse animals, but not to regulate how I manage my property when the options I choose from are humane and based on solid animal production practices.

This Committee has been a leader on the issue of private property rights, and has done its best to address attacks on those rights such as the Supreme Court's Kelo decision. This is a similar attack on my private property rights, and worse yet, it is being driven only by emotion. This area has not been talked about much in this debate, but if you are going to tell a horseman what they can or can't do with their own property, you better have an excuse other than saying "well, just because some folks didn't like it."

Finally, and most concerning to me, is the abandonment of the legislative process in considering HR 503. As you all know, the legislative process is in place to prevent bad bills such as this from becoming law. The process gives you, as members of Congress, the opportunity to review legislation, gather input, and make informed votes in a timeframe you deem acceptable. It seems to me that this bill was cherry picked out of the process because it was not making the progress that some had hoped for. We are showing that if you squeal enough and make life hard enough for a few people, you can get what you want without true Congressional consideration. What does this show other activists with controversial pieces of legislation? It shows them that they can get their way if they only cry loud enough, regardless of the merits of their issue. The legislative

process is important in protecting the citizens of the U.S. from having any one person's personal agenda imposed upon them without considerable review, amendment, and debate. To have backroom deals replace the Committee process should be deeply concerning to all in this room.

With the approaching debate on the Farm Bill, the abandonment of the legislative process only opens the door to attacks from agriculture's many enemies to come after us and have a chance of winning. Everyday I face people who don't necessarily agree with the way I make a living. I would hate to think that these people, whose disagreements with me are based on emotion, could influence their elected officials enough to put me out of business. I look at actions here in Washington that are affecting and will affect my livelihood. Three of those issues are the full and permanent repeal of the Death Tax, the issue of manure being regulated under Superfund, and the potential regulation of agricultural dust by EPA. These issues will affect how I continue to make a living and whether or not my children are able to follow my footsteps. These issues, which have more behind them besides emotion have been debated for some time and have gone or are going through the legislative process. I have won some and lost some, and some I have not been able to get a vote on. These issues affect real life, but I've respected the process.

I appreciate the Committee's leadership on this issue and look forward to seeing each of you vote this bill down. By taking advantage of the legislative process to consider and possibly pass legislation based only on emotion, we are playing with fire. This legislation has real-world consequences that go beyond the thoughts of ponies running across the plains with the wind in their manes. This affects my business and the business of others with no sound basis, not to mention the employees at these plants who will lose their jobs. Yes, these are foreign owned corporations, but the workers are Americans trying to make a living and support their families. We should not tell them they can't eat or buy clothes for their kids just because someone does not like what they do for a living. As a horseman, I appreciate the oppositions' affection for horses, but I would encourage them to channel their energies towards rescuing as many of these horses at auction as they can, rather than manipulating Congress. There are ways they can be a solution to this problem, but they are going to have to step up and actually take some responsibility rather than play "armchair quarterbacks" and not get their hands dirty.

Thank you for the opportunity to express my views this morning and I, along with my fellow ranchers, look forward to working with you to defeat HR 503.

## STATEMENT OF FRANK S. BOWMAN

Nobody here today stands in opposition to animal welfare and the humane treatment of horses or any other livestock throughout their entire life cycle. Nobody disputes the horse's important role in battle and exploration throughout history. I'm certainly not here to argue the burden that horses have carried for mankind in the making of this great country, but I am here to oppose the prohibition considered in H.R. 503 and to discuss the inability of State and local governments to meet the challenge imposed by its passage.

The issue of horse slaughter is extremely divisive for the horse community and in my position as President of the Horsemen's Council of Illinois I have been on the front line in planning sessions and meetings with equine professionals, horse owners and industry leaders from across Illinois, and across the country on this issue. Discussions on horse slaughter always bring out the full range of emotions you would expect in similar discussions on capital punishment or even abortion.

However, the prohibition considered in H.R. 503 is not about providing protections for family pets or derby winners. It's not about preserving a piece of American history, a child's joy, or the wind in your hair. H.R. 503 seeks to remove a humane tool used to manage the overall health of the national horse herd. H.R. 503 begins a paradigm shift in property rights as they apply to all livestock. When you strip away all the emotion H.R. 503 is about animal rights, not animal welfare.

As you know, there is an enormous difference between animal "welfare" laws, which seek to protect and enhance the humane treatment of animals, and animal "rights" laws, which seek to give legal standing and end the beneficial use, enjoyment and ownership of animals. H.R. 503 is an obvious animal rights bill and will not benefit or enhance animal welfare in the United States.

There are no fundable alternatives presented in the bill. There is no oversight provision in the bill proposed for managing the growing number of equine rescue and retirement facilities cropping up all across the country. There is no support extended for the many State and local agencies that will face the challenge and bear the cost for housing abandoned and unadoptable horses. Nor are there any programs proposed or created for the education of horse owners or population control measures such as spay and castration assistance through local veterinarians and animal shelters aimed at the cause.

The majority of horse owners are not wealthy landholders. The average horse owner in the US typically has one to three horses on a large suburban lot or a small acreage, mainly for recreation. Many are just treading above water financially, some aren't doing that well, but they all love their horses and their chosen equestrian lifestyle. It is our fear that through the prohibition in H.R. 503 the lower end, the unemployable and the otherwise unwanted animals which have historically been harvested through slaughter may suffer increased neglect and begin to place an additional burden on State and local governments, humane societies and animal shelters which are simply incapable of taking on the responsibility for more than 70,000 unwanted horses every year.

Through this legislation some horse owners who, for whatever reason, can no longer afford to properly feed their animals, provide for needed veterinary care, pay for euthanasia and burial or have no ability to sell the animal quickly through private treaty, may also lose the ability to divest themselves of the animal through a livestock auction. It is my concern that such owners may simply decide to cut their losses and turn the horses loose to graze on public lands and in national forests thereby adding to the burden for government agencies, including USDA and BLM.

H.R. 503 is not a free vote. There are nearly 2 million horse owners in the US who will be affected by your decision on this issue. Nearly every State and local government will feel the far-reaching effects of this legislation if passed. The future minimum value of horses as livestock hangs in the balance here today as well.

Please join us, and nearly every professional equine and livestock organization across the country, in our efforts to promote responsible breeding, developing alternatives to slaughter and educating horse owners to the responsibility they have for the welfare of their animals. Help us bring the general public to understand the joys of interacting with horses. Let's work toward the ultimate welfare of our horses. not legislating prohibitions through unfunded mandates and taking property rights. I urge you to vote no on H.R. 503.